



RATIFICATIONS
ETC.

Treaty Series No. 42 (2005)

THIRD

SUPPLEMENTARY LIST

OF RATIFICATIONS, ACCESSIONS,
WITHDRAWALS, ETC., FOR 2005

[In continuation of Treaty Series No. 37(2005), Cm 6676]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
January 2006*



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THIRD SUPPLEMENTARY LIST OF RATIFICATIONS, ACCESSIONS, WITHDRAWALS, ETC. FOR 2005

[In continuation of Treaty Series No. 37(2005) Cm 6676]

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

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

This publication contains information received up to 31 September 2005.

	<i>Date</i>	<i>Treaty Series and Command Nos</i>
ANIMALS & CONSERVATION		
European Convention for the Protection of Vertebrate Animals used for Experimental and Other Scientific Purposes [ETS No. 123]	Strasbourg 18 Mar., 1986	125/2000 Cm 4906
Signature - Lithuania	13 Sep., 2005	
Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas	New York 17 Mar., 1992	052/1995 Cm 2916
Accession- Lithuania	27 June, 2005	
Entry into Force- Lithuania	27 July, 2005	
Agreement on the Conservation of African-Eurasian Migratory Waterbirds	The Hague 15 Aug., 1996	013/2003 Cm 5784
Ratification- European Community	27 July, 2005	
Accession- Ghana	25 July, 2005	
Entry into Force- European Community Ghana	01 Oct., 2005 01 Oct., 2005	
Cartagena Protocol on Biosafety to the Convention on Biological Diversity	Montreal 29 Jan., 2000	017/2004 Cm 6170
Accession- Libya Sudan	14 June, 2005 13 June, 2005	

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
ANIMALS & CONSERVATION (continued)		
Approval- China (<i>with declaration*</i>)	08 June, 2005	
Entry into Force-		
China	06 Sep., 2005	
Libya	12 Sep., 2005	
Sudan	11 Sep., 2005	
<i>Declaration*</i>		
<i>[Translation: Courtesy: Original: Chinese]</i>		
<p>In accordance with the provisions of Article 153, of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China and Article 138, of the Basic Law of the Macao Special Administrative Region of the People's Republic of China, the Government of the People's Republic of China decides that the Protocol shall not apply to the Hong Kong Special Administrative Region and the Macao Special Administrative Region of the People's Republic of China until the Government of the People's Republic of China notifies otherwise.</p>		
ATOMIC ENERGY		
Convention Supplementary to the Paris Convention of 29 July 1960 on Third Party Liability in the Field of Nuclear Energy with Additional Protocol	Brussels 31 Jan., 1963	044/1975 Cm 5948
Note-		
On 27 May 2005, the Secretary-General of the Government of Belgium, as depositary, received from the government of <i>Slovenia</i> a declaration, with regard to article 13, a list of nuclear installations, as follows;		
List of Nuclear Installations used for Peaceful Purposes situated in the Territory of the Republic of Slovenia		
<u>Nuclear Power Plant KRŠKO</u>		
Location: Krško		
Operator: Nuklearna elektrarna Krško, d.o.o		
Type: PWR		
Criticality: 1981		
Thermal power: 1994 MW		
Research Reactor at " Jožef Stefan Institute"		
Location: Brinje near Ljubljana		
Operator: "Jožef Stefan "Institute		
Type: Triga MARK II		
Criticality: 1966		
Thermal power: 250 kW (designed)		

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
FREEDOM OF INFORMATION (continued)		
<p>In accordance with Article 13, paragraph 2, sub-paragraph a, of the Convention, the Republic of Croatia declares that the competent authority is the Personal Data Protection Agency.</p>		
<i>Declaration</i> ⁺		
<p>In accordance with Article 3, paragraph 2, sub-paragraph a, of the Convention, Serbia and Montenegro shall not apply the Convention to automated databases containing personal data being kept in accordance with criminal records and State security regulations.</p>		
<p>In accordance with Article 13, of the Convention, Serbia and Montenegro designates the following responsible authorities:</p>		
<p>Ministry of Interior of the Republic of Serbia Department for International Cooperation 11000 Belgrade, No. 101, Kneza Milosa St. Tel. + 381 11 161 78 54 Fax + 381 11 362 01 89</p>		
<p>Secretariat for development of the Republic of Montenegro No. 46, Rimski trg 81000 Podgorica.</p>		
<p>Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters</p>	<p>Adopted Aarhus, Denmark 28 Jan., 1981</p>	<p>024/2005 Cm 6586</p>
<p>Ratification- Sweden (<i>with reservations</i>*)</p>	<p>20 May, 2005</p>	
<p>Entry into Force- Sweden</p>	<p>18 Aug., 2005</p>	
<i>Reservations</i> *		
<p>Sweden lodges a reservation in relation to Article 9.1, with regard to access to a review procedure before a court of law of decisions taken by the Parliament, the Government and Ministers on issues involving the release of official documents.</p>		
<p>A reservation is also lodged in relation to Article 9.2, with regard to access by environmental organisations to a review procedure before a court of law concerning such decisions on local plans that require environmental impact assessments. This also applies to decisions regarding issuing permits that are taken by the Government as the first instance, under, for example the Natural Gas Act (2000:599) and after appeal under Chapter 18, of the Swedish Environmental Code. It is the Government's ambition that Sweden will shortly comply with Article 9.2 in its entirety.</p>		

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
<p>HEALTH (continued)</p> <p>The current members of the Community are the Kingdom of Belgium, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, the Hellenic Republic, the Kingdom of Spain, the French Republic, Ireland, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, the Republic of Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland.</p> <p>Community competence exists in areas already covered by Community legislation. The Community acts listed below are illustrative of the Community's sphere of competence in accordance with the provisions of the Treaty establishing the European Community. The exercise of competence that Member States have transferred to the Community by virtue of the Treaties is, by its very nature, bound to continuously evolve. Therefore in this regard, the Community reserves its right to issue further declarations in the future.</p> <p>List of Community acts and programmes contributing to promoting tobacco control</p> <p>Council Directive 89/552/EC of 3 October 1989 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities (OJ L 298, 17.10.1989, p. 23). Directive as amended by Directive 97/36/EC of the European Parliament and of the Council (OJ L 202, 30.7.1997, p.60).</p> <p>Directive 2001/37/EC of the European Parliament and of the Council of 5 June 2001 approximation of the laws, regulations and administrative provisions of the Member States the manufacture, presentation and sale of tobacco products (OJ L 194, 18.7.2001, p.26).</p> <p>Directive 2003/33/EC of 26 May 2003 of the European Parliament and of the Council on the approximation of the laws, regulations and administrative provisions of the Member States relating to the advertising and sponsorship of tobacco products (OJ L 152, 20.6.2003, p. J 6).</p> <p>Commission Decision 2003/641/EC of 5 September 2003 on the use of colour photographs or other illustrations as health warnings on tobacco packages (OJ L 226, 10.9.2003, p. 24).</p> <p>Decision No. 1786/2002/EC of the European Parliament and of the Council of 23 September 2002 adopting a programme of Community action in the field of public health (2003-2008) (OJ L 271, 9.10.2002, p.1).</p>		

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
<p>HEALTH (continued)</p> <p>Commission Regulation (EC) No 2182/2002 of 6 December 2002, laying down detailed rules for the application of Council Regulation (EEC) No 2075/92 with regard to the Community Tobacco Fund (OJ L 331, 7.12.2002, p. 16). Regulation as amended by Regulation (EC) No 480/2004 (OJ L 78, 16.3.2004, p.8).</p> <p>Council Regulation (EEC) No 2913/92 of 12 October 1992, establishing the Community Customs Code (OJ L 302,19.10.1992, p.1). Regulation as last amended by the 2003 Act of Accession.</p> <p>Council Regulation (EC) No 515/97 of 13 March 1997, on mutual assistance between the administrative authorities of the Member States and co-operation between the latter and the Commission to ensure the correct application of the law on customs and agricultural matters (OJ L 82, 22.3.1997, p.1). Regulation as amended by Regulation (EC) No 807/2003 (OJ L 122, 16.5.2003, p.36).</p> <p>Council Regulation (EC) No 3295/94 of 22 December 1994, laying down measures to prohibit the release for free circulation, export, re-export or entry for a suspensive procedure of counterfeit and pirated goods (OJ L 341, 30.12.1994, p. 8) replaced from 01.7.2004 by Council Regulation (EC) No 1383/2003 of 22 July 2003, concerning customs action against goods suspected of infringing certain intellectual property rights and the measures to be taken against goods found to have infringed such rights (OJ L 196,2.8.2003, p.7)."</p> <p style="text-align: center;"><u>Interpretative Declaration</u></p> <p>"The Community and its Member States declare that a Member State of the European Community whose national constitution or constitutional principles do not permit the introduction of a comprehensive ban on all tobacco advertising, promotion and sponsorship may make use of the provision enshrined in Article 13(3), of the WHO Framework Convention on Tobacco Control to accommodate regulations so as to respect nationalconstitutional constraints."</p> <p>The Convention will Enter into Force for European Community on 28 September 2005, in accordance with its article 36.</p> <p>Note-</p> <p>On 24 August 2005, the Secretary-General of the United Nations, as depositary, received from the government of <i>Israel</i>¹, an Objection to the declaration made by Syria upon ratification, as follows:</p> <p>"The Government of the State of Israel has noted that the instrument of ratification of the Syrian Arab Republic of the above-mentioned Convention, which appears in the Depositary Notification Ref: C.N.1244.2004.TREATIES-122 of 08 December 2004, contains a declaration with respect to the State of Israel.</p> <p>The Government of the State of Israel considers that such declaration, which is explicitly of a political nature, is incompatible with the purposes and objectives of the Convention.</p>		

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
<p>HEALTH (continued)</p> <p>The Government of Israel therefore objects to the aforesaid declaration made by the Syrian Arab Republic."</p> <p>¹ Refer to depository notification C.N.I244.2004.TREATIES-122 of 08 December 2004 (Syrian Arab Republic: Ratification)</p>		
<p>HUMAN RIGHTS</p> <p>Convention for the Protection of Human Rights and Fundamental Freedoms [ETS No. 005]</p> <p>Withdrawal Reservation- Serbia and Montenegro (<i>with declaration*</i>)</p> <p><i>Declaration*</i> Further to the adoption by the Parliament of Serbia and Montenegro, on 29 June 2005, of the draft Law amending the Law on the ratification of the European Convention on Human Rights and its Protocols, Serbia and Montenegro, withdraws the reservations made to Article 5, paragraphs 1c and 3, and to Article 13, of the Convention.</p> <p>The first reservation withdrawn reads as follows:</p> <p>"The provisions of Article 5, paragraphs 1c and 3, of the Convention shall be without prejudice to the application of rules on mandatory detention. This reservation concerns Article 142, paragraph 1, of the Code of Criminal Procedure (<i>Sluzbeni list Savezne Republike Jugoslavije, Nos. 70/01,68/02</i>) of the Republic of Serbia, which provides that detention shall be mandatory if a person is under reasonable suspicion of having committed an offence for which the punishment is 40 years imprisonment." The mandatory detention provided for by Article 142 of the Code of Criminal Procedure has been abolished. The reason for this reservation has therefore ceased to exist.</p> <p>The second reservation withdrawn reads as follows:</p> <p>"The provisions of Article 13, shall not apply in relation to the legal remedies within the jurisdiction of the Court of Serbia and Montenegro, until the said Court becomes operational in accordance with Articles 46 to 50 of the Constitutional Charter of the State Union of Serbia and Montenegro (<i>Sluzbeni list Srbije i Crne Gore, No. 1/03</i>). " This reservation referred to the fact that the Court of Serbia and Montenegro was not established at the time of ratification of the European Convention on Human Rights. The Court has since been established and has started to function.</p>	<p>Rome 4 Nov., 1950</p> <p>15 July, 2005</p>	<p>071/1953 Cmnd 8969</p>
<p>Convention on the Political Rights of Women</p> <p>Accession- Georgia</p>	<p>New York 04 Nov., 1953</p> <p>06 July, 2005</p>	<p>101/1967 Cmnd 3449</p>

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
HUMAN RIGHTS (continued)		
Entry into Force- Georgia	04 Oct, 2005	
International Convention on the Elimination of All Forms of Racial Discrimination	New York 07 Mar., 1966	077/1969 Cmnd 4108
Note- On 30 June 2005, the Secretary-General of the United Nations, as depository, received from the government of <i>Georgia</i> ¹ , a declaration as follows: "In accordance with Article 14, Paragraph 1, of the Convention on the Elimination of All Forms of Racial Discrimination done at New York on 07 March 1966, Georgia recognizes the competence of the Committee for the elimination of racial discrimination to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation, by Georgia, of any of the rights set forth in the above mentioned Convention." ¹ . Refer to depository notification C.N.419.1999.TREATIES-2 of 03 June 1999 (Georgia: Accession)		
International Covenant on Economic, Social and Cultural Rights	Adopted New York 16 Dec., 1966	006/1977 Cmnd 6702
Note- On 17 Aug., 2005, the Secretary-General of the United Nations, as depository, received from the government of the <i>United Kingdom</i> , an objection to the declaration made by Pakistan ¹ , upon signature, as follows; "The Government of the United Kingdom have examined the Declaration made by the Government of Pakistan on 03 November 2004, on signature of the International Covenant on Economic, Social and Cultural Rights (done at New York on 16 December 1966), The Government of the United Kingdom consider that the Government of Pakistan's Declaration which seeks to subject its obligations under the Covenant to the provisions of its own Constitution is a reservation which seeks to limit the scope of the Covenant on a unilateral basis. The Government of the United Kingdom note that a reservation, to a Convention which consists of a general reference to national law without specifying its contents does not clearly define for the other States Parties to the Convention, the extent to which the reserving State has accepted the obligations of the Convention. The Government of the United Kingdom therefore object to this reservation made by the Government of Pakistan.		

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
<p>HUMAN RIGHTS (continued)</p> <p>This objection shall not preclude the entry into force of the Covenant between the United Kingdom of Great Britain and Northern Ireland and Pakistan."</p> <p>¹ Refer to depositary notification C.N.1184.2004.TREA TIES-7 of 17 November 2004</p>		
<p>International Covenant on Civil and Political Rights</p>	<p>New York 16 Dec., 1966</p>	<p>006/1977 Cmnd 6702</p>
<p>Note-</p> <p>On 01 June 2005, the Secretary-General of the United Nations, as depositary, received from the government of <i>Nicaragua</i> a notification, as follows;</p> <p>Sir,</p> <p>I have the honour to inform you that I have analysed the political and economic situation in my country and have become convinced that, as President of all Nicaraguan citizens, I am obliged to take decisions and put measures into effect that will reduce the impact of the socio-economic and-political crisis that Nicaragua is undergoing.</p> <p>The crisis has arisen from the refusal of the National Assembly to exercise its constitutional powers and to pass the necessary legislation to help resolve the country's problems.</p> <p>In December 2004, the National Assembly passed the 2005 annual national budget act, in which it irresponsibly increased spending beyond the limit permitted by revenues and by the economic plan negotiated with the international financial organizations working with Nicaragua, and without clearly identifying sources of funding to cover the increase in social expenditure.</p> <p>In order to correct the situation, I submitted a draft bill to the National Assembly amending Act No. 453, the Fiscal Equity Act, in order to introduce measures to increase revenue and reduce the fiscal deficit created by the National Assembly by its passage of the 2005 budget.</p> <p>Unfortunately, the National Assembly, ignoring petitions from many segments of society, passed a constitutional amendment depriving the mass communications media of their right, enshrined in the Political Constitution of Nicaragua, to be exempt from taxes on purchases of materials, equipment and spare parts needed for the media to function properly. Along with the constitutional amendment. the National Assembly did pass the draft bill that I had submitted to it amending the Fiscal Equity Act. but introduced a provision regulating tax exemptions for the communications media. For that reason I exercised a partial veto on the legislation, believing that the provision represents a setback in the process of establishing and expanding democracy in Nicaragua.</p>		

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
<p>HUMAN RIGHTS (continued)</p> <p>In open disregard of the functions and powers conferred upon it by the Political Constitution and by its charter and rules of procedure, the National Assembly has taken no action on the partial veto I exercised against Bill No. 528 amending and supplementing Act No. 453, the Fiscal Equity Act, and has neither accepted it nor overridden it.</p> <p>The contempt the National Assembly has shown for the legal system of Nicaragua has placed my country in a difficult position <i>vis-à-vis</i> the international financial organizations, who have warned my Government that, if the deviations from the agreed economic plan are not corrected promptly, Nicaragua runs the risk that it may not continue to receive economic assistance in the form of the loans and grants that it needs to finance its budget and run social programmes to alleviate the poverty in which most Nicaraguans live.</p> <p>I should also mention that the steady increase in international oil prices is having a direct impact on our economy, causing domestic prices of petroleum products to rise strongly. That in turn has had a negative impact on the income of Nicaraguan citizens, since our electric power generation system depends to a great extent on petroleum products.</p> <p>Under our constitutional system, it is my duty as President of the Republic to manage the national economy, setting policy and establishing the socio-economic programme. For that purpose I have under my responsibility a number of institutions to carry out economic policy. Among them is the Nicaraguan Energy Institute (INE), which is the regulatory agency for the basic public power supply; its officers are appointed by the President of the Republic and confirmed by the National Assembly.</p> <p>On 06 September 2002, I presented to the National Assembly the slate of candidates for the Board of Directors of INE for legislative confirmation. Because of the withdrawal of one of the candidates, it was necessary to present a new slate, which I did in October 2003. However, the National Assembly did not fulfil its constitutional duty, and in defiance of the constitutional rule it appointed two acting administrators of INE without power to approve energy rates.</p> <p>The problem of a lack of authority at the regulatory agency responsible for the power supply has become more acute in view of the request by Compañía Unión FENOSA for a rate increase for energy consumption to cover its operating costs, which have gone up owing to rising intentional oil prices, resulting in higher electricity generation costs. If the rate increase does not go through, there is a strong possibility that there will be energy rationing or even suspension of service.</p> <p>In the light of this situation, I cannot evade my responsibility as President of the Republic, and I am therefore obliged to provide for the needs of the people and to take the steps necessary to address the economic and social crisis that Nicaragua is undergoing.</p>		

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
<p>HUMAN RIGHTS (continued)</p> <p>Therefore, I hereby officially notify to you that, in accordance with the powers conferred upon me by article 150, item 9, and article 185, of the Political Constitution and articles 2, 4 and 11, of the Emergency Act, in the Council of Ministers, I issued the corresponding Decree of Suspension of Rights and Guarantees and State of Emergency owing to economic conditions.</p> <p>The context and scope of application of Decree No. 34-2005 issued by the President of the Republic of Nicaragua in the Council of Ministers is in the economic sphere, in the terms defined in the preamble and in article 1, which provides: "A state of economic emergency is hereby decreed in view of the adverse conditions caused by the rise in international oil prices and in view of the necessity of ensuring economic stability in the country and external co-operation flows...". Hence it does not extend to spheres other than the economic, in the precise terms just quoted. The Decree is in conformity with article 4, of the International Covenant on Civil and Political Rights of 1966, because it relates to an economic emergency which threatens the life of the nation and was officially proclaimed for the reasons stated above, which limit its scope of application and duration.</p> <p>It fully respects the obligation not to derogate from the fundamental articles of the Covenant, that is, articles 6, 7, 8 (paragraphs 1 and 2), 11, 15, 16 and 18, which remain fully in effect and are not derogated from in any way, either directly or indirectly. Nor does it affect the indispensable judicial guarantees not subject to derogation when they relate to rights not subject to derogation.</p> <p>The provisions partially derogated from are the following: article 2, paragraphs 1 and 3 (a), (b) and (c), and article 9, paragraph 3, of the International Covenant of Civil and Political Rights, with the proviso that the derogation applies only to the bringing of an action of amparo [protection of constitutional rights], as appropriate and in accordance with the Amparo Act, in the economic sphere and within the terms of the preamble and article 1, of Decree No. 34-2005. In all other areas the indicated provisions remain in effect. As has been said, an action of amparo may still be brought to protect rights not subject to derogation. Decree No. 34-2005 is attached.</p> <p>This communication complies with the provisions of article 9 of the Emergency Act, which in accordance with article 184 of the Political Constitution of Nicaragua is a constitutional act.</p> <p>Accept, Sir, the assurances of my highest consideration.</p> <p style="text-align: right;">(Signed) Enrique Bolaños Geyer President of the Republic</p> <p>Nicaragua notification June., 2005</p>		

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
<p>HUMAN RIGHTS (continued)</p> <p>Note-</p> <p>In a further note dated 03 June 2005, the Secretary-General of the United Nations, as depositary, received from the government of <i>Nicaragua</i> a notification made under article 4 (3), of the Convention transmitting Decree No. 38-2005 dated 02 June 2005, which declared that the economic emergency which had been established by Decree No. 34-2005, was repealed and that the constitutional rights and guarantees have been restored, as follows:</p> <p>Minister for Foreign Affairs</p> <p>Managua, 03 June 2005 MRE/DM/608/06/05</p> <p>Sir,</p> <p>With reference to the communication dated 30 May 2005, DP/315/05 addressed to you by the President of the Republic, Mr. Enrique Bolaños Geyer, to the effect that a state of economic emergency had been established pursuant to Decree No. 34-2005, published in <i>Diario Oficial La Gaceta</i> No. 103 on 20 May 2005, at 5 p.m., I am pleased to inform you that the state of economic emergency was repealed by Decree No. 38-2005 dated 02 June 2005, and that the constitutional rights and guarantees suspended by the said Decree have been restored because the reasons that gave rise to it have ceased to exist. This communication is being sent in fulfilment of the requirements of article 9, of the Emergency Act, which, pursuant to article 184, of the National Constitution, is a constitutional law, with the request that you bring this decision to the attention of the States parties (see Decree No. 38-2005).</p> <p>Accept, Sir, the assurances of my highest consideration.</p> <p>(Signed) Norman Caldera Cardenal</p> <p>His Excellency Mr. Kofi Annan Secretary-General of the United Nations Presidency of the Republic</p> <p>Decree No. 38-2005</p> <p>In the city of Managua, at 10 a.m on 02 June 2005, the following, meeting in Council of Ministers: Enrique Bolaños Geyer, President of the Republic, José Rizo Castellón, Vice-President of the Republic, Julio Vega Pasquier, Minister of the Interior, Norman Caldera Cardenal, Minister for Foreign Affairs, José Adán Guerra Pastora, Minister of Defence, Mario Arana Sevilla, Minister of Finance and Public Credit, Azucena Castillo Barquero, Minister of Development, Industry and Commerce, Miguel Ángel García Gutiérrez, Minister of Education, Culture and Sport, José Augusto Navarro Flores, Minister of Agriculture and Forestry, Pedro Solórzano Castillo, Minister of Transport and Infrastructure, Margarita Gurdían López, Minister of Health, Virgilio Gurdían Castellón, Minister of Labour, Arturo Harding Lacayo, Minister of the Environment and Natural Resources, Ivania Toruño Padilla, Minister of the Family, in the presence of Ernesto Leal Sánchez, presidential secretary and authenticating official.</p>		

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
<p>HUMAN RIGHTS (continued)</p> <p>I. Considering that by Decree No. 34-2005, the President of the Republic sitting in the Council of Ministers ordered a state of economic emergency, which was required by the economic conditions of the nation arising from the increase in the international price of oil, the lack of competent authorities to adjust the electric energy rate and the increase in the fiscal deficit caused by the National Assembly as well as the imminent risk that Nicaragua would lose the benefit of the economic and financial programme agreed on with the International Monetary Fund.</p> <p>II. Considering that by Decree No. 35-2005, published in <i>La Gaceta, Diario Oficial</i> No.103 of 30 May 2005, the electricity rate charged to distributors was adjusted, which reduced the risk of interruptions in the provision of electric energy throughout the country.</p> <p>III. Considering that in accordance with article 4, of Act No. 517, "Act establishing the use of Hidrogesa's utilities and creating the fund to support non-traditional agricultural export production", published in <i>La Gaceta, Diario Oficial</i> No. 41 of 28 February 2005, Hidrogesa transferred the sum of \$5.6 million to the Nicaraguan Energy Institute to offset the rise in energy prices.</p> <p>IV. Considering that in an agreement concluded at 4 p.m. on 01 June 2005, the Companies Disnorte, Dissur, Hidrogesa and Geosa agreed that the distributors would pay the generators for energy and power supplied and not paid as at April 2005. Hidrogesa, for its part, undertook to sell all available energy and power to Disnorte and Dissur; the Agreement will make it possible to provide the entire population with an efficient public energy service.</p> <p>V. Considering that by Decree No. 37-2005, published in <i>La Gaceta, Diario Oficial</i> No. 105 of 01 June 2005, a working group was established to conduct a diagnostic study of the hydrocarbon value chain in Nicaragua, with a view to finding a comprehensive response to the problem raised by the rise in hydrocarbons and the energy crisis.</p> <p>VI. Considering that the entry into force of Decree No. 528, "Act Amending and supplementing Act. No. 453, the 'Act on Fiscal Equity'", approved by the President of the Republic and published in <i>La Gaceta, Diario Oficial</i> No. 104 of 31 May 2005, and of Decree No. 36-2005, "Act amending and supplementing to decree No. 46-2003, Regulations implementing Act No. 453, the 'Act on Fiscal Equity'", published in <i>La Gaceta, Diario Oficial</i> No. 105 of 01 June 2005, will make it possible in the near future to collect revenues that will help reduce the fiscal deficit created by the National Assembly in the Annual Budget Act 2005 and put us in a better position to obtain agreements on the economic and social programme of all Nicaraguans.</p> <p>VII. Considering that article 7, of the Emergency Act states that the President of the Republic will repeal the decree suspending constitutional rights and guarantees when the reasons that gave rise to it cease to exist.</p>		

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
<p>HUMAN RIGHTS (continued)</p> <p>VIII. Considering that the measures taken by the President of the Republic in recent days have created the conditions for an environment of social and economic stability in the country, and that the reasons that gave rise to Decree No. 34-2005, the "Decree establishing a State of Economic Emergency", published in La Gaceta, Diario Oficial No. 103 on 30 May 2005, at 5 p.m., have ceased to exist.</p> <p>THEREFORE</p> <p>The President of the Republic, sitting in Council of Ministers and by virtue of the powers vested in him by articles 7,8 and 9 of Act No. 44, Emergency Act and article 150 (4) and (9) of the Constitution. HAS DECREED:</p> <p>The following DECREE "REPEAL OF THE STATE OF ECONOMIC EMERGENCY"</p> <p>Art. 1 Decree No. 34-2005, "Decree establishing a State of Economic Emergency", published in La Gaceta, Diario Oficial No. 103 at 5 p.m. on 30 May 2005, is hereby repealed; the constitutional rights and guarantees suspended by the said decree shall therefore be restored, as the reasons that gave rise to it have ceased to exist.</p> <p>Art. 2 The corresponding notification shall be sent to the National Assembly within the time limit of 45 days set forth in article 8, of the Emergency Act (Act No. 44).</p> <p>Art. 3 The Secretary-General of the United Nations and the Secretary-General of the Organization of American States shall be notified of this repeal.</p> <p>Art. 4 This Decree shall enter into force on the date of its publication in any means of social communication, without prejudice to its subsequent publication in La Gaceta, Diario Oficial.</p> <p>Done at the city of Managua, Casa de la Presidencia, on 02 June 2005</p> <p>(Signed) Enrique Bolaños Geyer President of the Republic (Signed) Jose Rizo Castellón Vice-President of the Republic</p> <p>(Signed) Julio Vega Pasquier Minister of the Interior</p> <p>(Signed) Norman Caldera Cardenal Minister for Foreign Affairs</p> <p>(Signed) José Adán Guerra Pastora Minister of Defence</p>		

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
HUMAN RIGHTS (continued)		
(Signed) Mario Arana Sevilla Minister of Finance and Public Credit		
(Signed) Azucena Castillo Barquero Minister of Industrial Development and Commerce		
(Signed) Miguel Ángel Garcia Gutiérrez Minister of Education, Culture and Sport		
(Signed) José Augusto Navarro Flores Minister of Agriculture and Forestry		
(Signed) Pedro Solórzano Castillo Minister of Transport and Infrastructure		
(Signed) Margarita Gurdíán López Minister of Health		
(Signed) Virgilio Gurdíán Castellón Minister of Labour		
(Signed) Arturo Harding Lacayo Minister of the Environment and Natural Resources		
(Signed) Ivania Toruño Padilla Minister for the Family		
(Signed) Ernesto Leal Sánchez Presidential Secretary and authenticating official		
Note-		
On 21 July 2005, the Secretary-General of the United Nations, as depositary, received from the government of <i>Peru</i> a notification, made under article 4 (3), of the above Covenant, as follows;		
Transmitting Supreme Decree No. 049-2005-PCM published on 18 July 2005, which extended the state of emergency in the provinces of Huanta and La Mar. department of Ayacucho, the province of Tayacaja, department of Huancavelica, the province of La Convención, department of Cusco; in the province of Satipo, in the district of Andamarca, province of Concepción and in the district of Santo Domingo de Acobamba, province of Huancayo, department of Junin, for a period of 60 days.		

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
<p>HUMAN RIGHTS (continued)</p> <p>The Government of Peru specified that during the state of emergency, the rights contained in article 2 (9), (11), (12) and (24.f) of the Political Constitution of Peru and in articles 17, 12, 21 and 9, of the Covenant shall be suspended.</p> <p>The Permanent Mission of Peru to the United Nations presents its compliments to the Secretary-General of the United Nations and, in accordance with the provisions of article 4 of the International Covenant on Civil and Political Rights, has the honour to inform him that by Supreme Decree No. 049-2005-PCM, issued on 18 July 2005 (copy attached), the state of emergency in the provinces of Huanta and La Mar, department of Ayacucho, the province of Tayacaja, department of Huancavelica, the province of La Convención, department of Cusco; in the province of Satipo, in the district of Andamarca, province of Concepción, and in the district of Santo Domingo de Acobamba, province of Huancayo, department of Junin, has been extended for a period of 60 days. A previous extension was communicated in our Note 7-I-SG/015 dated 24 May 2005.</p> <p>During the state of emergency, the rights to home inviolability, freedom of movement, freedom of assembly and liberty and security of person recognised in article 2 (9), (11), (12) and (24.f) of the Political Constitution of Peru and in articles 17, 12,21 and 9, of the International Covenant on Civil and Political Rights, respectively, shall be suspended.</p> <p>The Permanent Mission of Peru to the United Nations takes this opportunity to renew to the Secretary-General of the United Nations the assurances of its highest consideration.</p> <p>New York. 20 July 2005</p> <p>Extension of the state of emergency in the provinces of Ayacucho, Huancavelica, Cusco and Junin for 60 days</p> <p>Supreme Decree No. 049-2005-PCM</p> <p>The President of the Republic</p> <p>Considering</p> <p>That in Supreme Decree No. 038-2005-PCM, dated 20 May 2005, the state of emergency in the provinces of Huanta and La Mar, department of Ayacucho, the province of Tayacaja, department of Huancavelica, the province of La Convención, department of Cusco; in the province of Satipo, in the district of Andamarca, province of Concepción, and in the district of Santo Domingo de Acobamba, province of Huancayo, department of Junin, was extended for a period of 60 days;</p> <p>That although the aforementioned state of emergency is about to expire, the conditions that led to the declaration of a state of emergency in those provinces and districts still persist;</p>		

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
<p>HUMAN RIGHTS (continued)</p> <p>That article 137(1), of the Political Constitution of Peru states that extension of the state of emergency requires a new decree; and</p> <p>With a vote of approval by the Council of Ministers and subject to notification of the Congress of the Republic;</p> <p>Hereby decrees:</p> <p>Article 1: Extension of the state of emergency</p> <p>The state of emergency is hereby extended for a period of sixty (60) days from 19 July 2005, in the provinces of Huanta and La Mar, department of Ayacucho, in the province of Tayacaja, department of Huancavelica, the province of La Convención department of Cusco; in the province of Satipo, in the district of Andamarca, province of Concepción, and in the district of Santo Domingo de Acobamba, province of Huancayo, department of Junin.</p> <p>Article 2: Suspension of constitutional rights</p> <p>During the extension of the state of emergency referred to in the above article, the constitutional rights recognized in article 2 (9), (11), (12) and (24.f) of the Political Constitution of Peru shall be suspended.</p> <p>Article 3: Endorsement</p> <p>The present Supreme Decree shall be endorsed by the President of the Council of Ministers, the Minister of Defence, the Minister of the Interior and the Minister of Justice.</p> <p>Done at Government House, Lima, on 15 July 2005</p> <p>(Signed) Alejandro Toledo Constitutional President of the Republic</p> <p>(Signed) Carlos Ferrero President of the Council of Ministers</p> <p>(Signed) Roberto Enrique Chiabra Leon Minister of Defence</p> <p>(Signed) Félix Murazzo Carrillo Minister of the Interior</p> <p>(Signed) Eduardo Salhuana Cavides Minister of Justice</p>		

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
<p>HUMAN RIGHTS (continued)</p> <p>Note-</p> <p>On 17 August 2005, the Secretary-General of the United Nations, as depositary, received from the government of the <i>United Kingdom</i> an objection to the declaration made by Mauritania¹, upon signature, as follows;</p> <p>"The Government of the United Kingdom have examined the Declaration made by the Government of Mauritania to the International Covenant on Civil and Political Rights (done at New York on 16 December 1966) on 17 November 2004, in respect of Articles 18 and 23 (4).</p> <p>The Government of the United Kingdom consider that the Government of Mauritania's declaration that:</p> <p>'The Mauritanian Government, while accepting the provisions set out in article 18, concerning freedom of thought, conscience and religion, declares that their application shall be without prejudice to the Islamic Shariah. ...</p> <p>'The Mauritanian Government interprets the provisions of article 23, paragraph 4, on the rights and responsibilities of spouses as to marriage as not affecting in any way the prescriptions of the Islamic Shariah' is a reservation which seeks to limit the scope of the Covenant on a unilateral basis.</p> <p>The Government of the United Kingdom note that the Mauritanian reservation specifies particular provisions of the Covenant to which the reservation is addressed. Nevertheless this reservation does not clearly define for the other States Parties to the Covenant the extent to which the reserving State has accepted the obligations of the Covenant. The Government of the United Kingdom therefore object to the aforesaid reservation made by the Government of Mauritania.</p> <p>This objection shall not preclude the entry into force of the Covenant between the United Kingdom of Great Britain and Northern Ireland and Mauritania."</p> <p>¹ Refer to depositary notification C.N. 789.2004. TREATIES-8 of 23 November 2004</p>		
<p>European Convention on the Adoption of Children [ETS no. 58]</p> <p>Note-</p> <p>On the 21 June 2005 the Secretary-General of the Council of Europe, as depositary, received from the government of <i>United Kingdom</i>, a communication concerning the denunciation, which will enter in to force on the 22 December 2005, of the above mentioned agreement, as follows;</p>	<p>Strasbourg 24 Apr., 1967</p>	<p>051/1968 Cmnd 3673</p>

	Date	Treaty Series and Command Nos.
<p>HUMAN RIGHTS (continued)</p> <p>20 June 2005</p> <p>Permanent Representation of the United Kingdom to the Council of Europe</p> <p>Mr Terry Davis Secretary General of the Council of Europe</p> <p>Sir,</p> <p>I have the honour, on instructions from Her Majesty's Principal Secretary of State for Foreign and Commonwealth Affairs, to refer to the European Convention on the Adoption of Children done at Strasbourg on 24 April 1967, and in accordance with the provisions of Article 27, paragraph 2, of the Convention, to inform you that the Government of the United Kingdom hereby denounces the said Convention in respect of the metropolitan territory of the United Kingdom and the following territory for whose international relations the United Kingdom is responsible: <i>the Isle of Man</i>.</p> <p>The United Kingdom of Great Britain and Northern Ireland will remain a State Party to the Convention in respect of the <i>Bailiwicks of Jersey and Guernsey</i>, to which the Convention was extended by the United Kingdom and for whose international relations the United Kingdom is responsible.</p> <p>I avail myself of this opportunity to renew to you the assurances of my highest consideration,</p> <p style="text-align: center;">(signed) Pamela D Mitchison Chargée d'Affaires.</p>		
<p>Convention on the Elimination of All Forms of Discrimination against Women</p> <p>Note-</p> <p>On 25 August 2005, the Secretary-General of the United Nations, as depositary, received from the government of <i>Sweden</i>, an objection to the reservations made by Micronesia upon accession, as follows;</p> <p>"The Government of Sweden is of the view that this reservation raises serious doubts as to the commitment of the Government of Micronesia to the object and purpose of the Convention. The reservation would, if put into practice, result in discrimination against women on the basis of sex. It should be borne in mind that the principles of the equal right of men and women and of non- discrimination on the basis of sex are set forth in the Charter of the United Nations as one of the purposes of the organisation, as well as in the Universal Declaration of Human Rights of 1948.</p>	<p>New York 18 Dec., 1979</p>	<p>002/1989 Cm 643</p>

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
<p>HUMAN RIGHTS (continued)</p> <p>According to article 28 (2), of the Convention, and to customary law as codified in the Vienna Convention on the Law of Treaties, reservations incompatible with the object and purpose of the Convention shall not be permitted. It is in the common interest of States that treaties to which they have chosen to become parties are respected as to their object and purpose, by all parties, and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.</p> <p>Note-</p> <p>On 06 June 2005, the Secretary-General of the United Nations, as depositary, received from the government of <i>United Kingdom</i>, a communication concerning the modification of a reservation made upon ratification¹, as follows:</p> <p>"...: the Government of the United Kingdom wish to withdraw from paragraph A c) of that reservation the words:</p> <p style="padding-left: 40px;">"to the admission into or service in the Armed Forces of the Crown"</p> <p>and to substitute the words:</p> <p style="padding-left: 40px;">"any act done for the purpose of ensuring the combat effectiveness of the Armed Forces of the Crown."</p> <p>so that Paragraph A,c) of the United Kingdom's reservation will then read:</p> <p>"In the light of the definition contained in Article 1, the United Kingdom's ratification is subject to the understanding that none of its obligations under the Convention shall be treated as extending to the succession to, or possession and enjoyment of, the Throne, the peerage, titles of honour, social precedence or armorial bearings, or as extending to the affairs of religious denominations or orders or any act done for the purpose of ensuring the combat effectiveness of the Armed Forces of the Crown."</p> <p>¹ Ref to depositary notification C.N.108.1986. TREATIES-4 of 07 August 1986</p> <p>Note-</p> <p>On 17 August 2005, the Secretary-General of the United Nations, as depositary, received from the government of <i>United Kingdom</i>, an objection to the reservations made by Federated States of Micronesia¹, upon Accession, as follows:</p> <p>"The Government of the United Kingdom have examined the reservations made by the Government of Micronesia to the Convention on the Elimination of all Forms of Discrimination against Women (New York, 18 December 1979) on 9 September 2004, in respect of Article 11 (1) (d), on the enactment of comparable worth legislation.</p>		

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
<p>HUMAN RIGHTS (continued)</p> <p>The Government of the United Kingdom object to the aforesaid reservation made by the Government of Micronesia.</p> <p>This objection shall not preclude the entry into force of the Convention between the United Kingdom of Great Britain and Northern Ireland and Micronesia."</p> <p>¹ Refer to depositary notification C.N.904.2004. TREATIES-10 of 09 September 2004</p> <p>Note-</p> <p>On 17 August 2005, the Secretary-General of the United Nations, as depositary, received from the government of <i>United Kingdom</i>, an objection to the reservations made by United Arab Emirates¹, upon Accession, as follows;</p> <p>"The Government of the United Kingdom have examined the reservations made by the Government of the United Arab Emirates to [the] Convention on the Elimination of all Forms of Discrimination against Women (New York, 18 December 1979) on 06 October 2004, in respect of Articles 2 (f), 15 (2), and 16, on the applicability of Sharia law.</p> <p>The Government of the United Kingdom note that a reservation which consists of a general reference to a system of law without specifying its contents does not clearly define for the other States Parties to the Convention the extent to which the reserving State has accepted the obligations of the Convention. The Government of the United Kingdom therefore object to the aforesaid reservations made by the Government of the United Arab Emirates.</p> <p>This objection shall not preclude the entry into force of the Convention between the United Kingdom of Great Britain and Northern Ireland and the United Arab Emirates."</p> <p>¹ Refer to depositary notification C.N.1223.2004. TREATIES-11 of 01 December 2004</p>		
<p>Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment</p> <p>Note-</p> <p>On 30 June 2005, the Secretary-General of the United Nations, as depositary, received from the government of <i>Georgia</i>¹, a notification, under articles 21 and 22, relating to the declaration made upon accession, as follows;</p> <p>In accordance with article 21, paragraph 1, of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment done at New York on 10 December 1984, Georgia hereby declares that it recognizes the competence of the Committee against Torture under the conditions laid down in article 21, to receive and consider communications to the effect that another state party claims that Georgia is not fulfilling its obligations under this Convention.</p>	<p>New York 10 Dec., 1984</p>	<p>107/1991 Cm 1775</p>

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
<p>HUMAN RIGHTS (continued)</p> <p>(b) The Government of the State of Israel maintains the following safeguards in respect of voluntary recruitment into the armed forces so as to ensure that such recruitment is not forced or coerced;</p> <p>1. In accordance with section 14, of the defense service law (consolidated version) 5746-1986, no person under 18 years of age may enlist in the Israeli armed forces without a written application submitted by the person and the written consent of the person's parents or legal guardian; however, should there be an appreciable difficulty in contacting one of the parents, the written consent of the other parent is sufficient.</p> <p>2. Clear and precise explanation of the nature of the duties involved in military service is provided to both the person and the person's parents or legal guardian.</p> <p>3. Prior to acceptance of any person into the Israeli armed forces a reliable proof of age is obtained through the Ministry of the Interior's official national population registry.</p> <p>4. The IDF has several long-term programs in which participants may engage in academic or rabbinic studies or perform volunteer work, prior to the commencement of their actual military service. Enrolment in these programs is open to participants from the age of 17.5. For administrative purposes, these participants undergo a one-day administrative induction into the armed forces. Following their administrative induction, these participants are released from active service and enrol in their chosen program.</p> <p>5. Persons under 18 years of age, who enlist in one of the aforementioned ways, may in no case be posted to combat duty."</p> <p><i>Declaration</i>⁺ [Original: English]</p> <p>...pursuant to article 3 (2), of the Optional Protocol, the Government of the Republic of the Sudan declares that the Republic of the Sudan is committed to maintain the minimum age for voluntary service in the Sudan armed forces at 18, and to maintain the prohibition of forced or voluntary conscription of any person under the age of 18 years.</p> <p><i>Declaration</i>[†] [Translation: Courtesy: Original: Ukraine]</p> <p>Ukraine confirms its obligations taken under Article 38, of the Convention on the Rights of the Child in case of the armed conflicts which concern children and, referring to paragraph 2 of Article 3, of the Optional Protocol, declares hereby that the minimum age for the voluntary (on a contractual basis) joining into its national armed forces is 19 years.</p>		

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
<p>HUMAN RIGHTS (continued)</p> <p>Ukraine, in accordance with the provisions of its national legislation, guarantees its adherence to the exclusive principle of voluntarism in the process of recruitment of citizens into its armed forces on a contractual basis, without any manifestation of violence and enforcement.</p> <p>Note-</p> <p>On 17 August 2005, the Secretary-General of the United Nations, as depositary, received from the government of <i>Israel</i>, an objection to the declaration made by Syria¹, upon accession, as follows;</p> <p><i>[Original: English]</i></p> <p>"The Government of the State of Israel has noted that the instrument of ratification of the Syrian Arab Republic of the above-mentioned Protocol, contains a declaration with respect to the State of Israel.</p> <p>The Government of the State of Israel considers that such declaration, which is explicitly of a political nature, is incompatible with the purposes and objectives of the Protocol.</p> <p>The Government of the State of Israel therefore objects to the aforesaid declaration made by the Syrian Arab Republic."</p> <p>¹ Ref: C.N.1238.2003.TREATIES-23 of 29 October 2003.</p> <p>Note-</p> <p>On 17 August 2005, the Secretary-General of the United Nations, as depositary, received from the government of <i>United Kingdom</i>, an objection to the reservations made by United Arab Emirates¹, upon Accession, as follows;</p> <p>"The Government of the United Kingdom have examined the reservations made by the Government of the Sultanate of Oman to the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (New York, 25 May 2000) on 17 September 2004, in respect of Islamic and domestic law and of limits imposed by the material resources available.</p> <p>The Government of the United Kingdom notes that the Government of the Sultanate of Oman seek to subject their obligations under the Protocol to the same reservations as they made to the Convention on the Rights of the Child. The Government of the United Kingdom consider that Oman's second and third reservations do not clearly define for the other States Parties to the Protocol the extent to which the reserving State has accepted the obligations of the Protocol. The Government of the United Kingdom therefore object to the aforesaid reservations made by the Government of Oman.</p> <p>This objection shall not preclude the entry into force of the Protocol between the United Kingdom of Great Britain and Northern Ireland and Oman."</p> <p>¹ Refer to depositary notification C.N.1233.2004.TREATIES-26 of 03 December 2004.</p>		

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
<p>INTELLECTUAL PROPERTY (continued)</p> <p>Has been withdrawn its authorization as the Assay Office in the sense of the Convention on the Control and Marking of Articles of Precious Metals.</p> <p>Therefore SGK is not any longer a Swedish Assay Office and can not carry out control of articles of precious metals provided for in the Convention on the Control and Marking of Articles of Precious Metals.</p> <p>Yours sincerely, Valentina Valestany</p>		
<p>Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure (with regulations)</p>	<p>Budapest 28 Apr., 1977 -31 Dec., 1977</p>	<p>005/1981 Cmnd 8136</p>
<p>Note-</p> <p>On 20 June 2005, Secretary-General of WIPO, as depositary, received the following communication from the government of <i>Japan</i>, relating to changes in the internet addresses, requirements of deposit, furnishing of sample, schedule of fees and guidance for depositors of the National Institute of Technology and Evaluation. Patent Microorganisms Depository (NPMD), as follows;</p> <p><i>[Original: English]</i></p> <p style="text-align: center;">COMMUNICATION</p> <p>The Permanent Mission of Japan to the International Organizations in Geneva presents its compliments to the World Intellectual Property Organization (WIPO) and, in relation to the Budapest Treaty on the International Recognition of Microorganisms for the Purposes of the Patent Procedure, has the honour to transmit attached herewith the communication from its home Government regarding Changes in the Internet Addresses, Requirements of Deposit, Furnishing of Sample, Schedule of Fees and Guidance for Depositors of the National Institute of Technology and Evaluation, Patent Microorganisms Depository (NPMD), an International Depositary Authority.</p> <p>The Permanent Mission of Japan to the International Organizations in Geneva avails itself of this opportunity to renew to the World Intellectual Property Organization the assurances of its highest consideration.</p> <p style="text-align: center;">ANNEX</p> <p>The National Institute of Technology and Evaluation, Patent Microorganisms Depository (NPMD) has modified its information as follows;</p> <p>The Government of Japan guarantees that NPMD will continue to fulfil the requirements specified in Article 6(2), of the Treaty.</p>		

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
<p>INTELLECTUAL PROPERTY (continued)</p> <p>The Government of Japan understands that this communication shall be disclosed to all the Contracting States and the Intergovernmental Industrial Property Offices.</p> <p style="text-align: center;">JP - JAPAN</p> <p style="text-align: center;">NATIONAL INSTITUTE OF TECHNOLOGY AND EVALUATION, PATENT MICROORGANISMS DEPOSITARY (NPMD).</p> <p>2-5-8 Kazusakamatari Kisarazu-city Chiba 292-0818</p> <p>Telephone: (81) 438 205580 Facsimile: (81) 438 20 5581 E-mail: npmd@nite.go.jp Internet: http://www.nbrc.nite.go.jp/npmd/</p> <p style="text-align: center;">1. <u>Requirements for Deposit</u></p> <p>(a) <u>Kinds of Microorganisms that May be Deposited</u></p> <p>Bacteria, actinomycetes, yeasts, archea, fungi, bacteriophages and plasmids (in hosts or not in hosts), EXCEPT:</p> <ul style="list-style-type: none"> – microorganisms which belong to biosafety level 3 or level 4 according to the NITE (National Institute of Technology and Evaluation) Classification. – microorganisms which call for containment measures level P3 or P4 as described in the Ministerial Ordinance stipulating Containment Measures to be Taken in Type 2, Use of Living Modified Organisms for Research and Development (2004), which is based on the Law concerning the Conservation and Sustainable Use of Biological Diversity through Regulations on the Use of Living Modified Organisms (2003). <p>(b) <u>Technical Requirements and Procedures</u></p> <p>(i) <u>Form and Quantity</u></p> <p>The NPMD accepts microorganisms for deposit in anyone of lyophilized or frozen preparations. The depositor should send the NPMD 20 ampoules or tubes of each strain.</p> <p>(ii) <u>Time Required for Viability Testing</u></p> <p>The average length of time required for testing the viability of the microorganisms is as follows, but in some cases viability testing may take longer than the figures indicated below.</p>		

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
<p>INTELLECTUAL PROPERTY (continued)</p> <p>bacteria, actinomycetes and yeasts 4 to 6 days fungi 7 days bacteriophages 9 days plasmids 1 day</p> <p>(iii) <u>Depositor Checks and Renewal of Stocks</u></p> <p>The NPMD stores samples originally supplied by the depositor, and does not subculture material supplied by the depositor. The NPMD requires the depositor to supply the samples to replenish diminishing stocks. If requested, the NPMD makes its own preparations by subculture from material supplied by the depositor at an additional fee. In this case, the NPMD requires the depositor to test for authenticity of samples prepared by the NPMD and to inform the NPMD of the result.</p> <p>(c) <u>Administrative Requirements and Procedures</u></p> <p>(i) <u>General</u></p> <p>Language. The official language of the NPMD is Japanese. Requests for the furnishing of samples maybe in Japanese or English.</p> <p>Contract. The NPMD enters into a written contact with the depositor by which the latter is bound.</p> <ul style="list-style-type: none"> – to provide the necessary information requested by the NPMD; – to replenish the micro-organism at his own expense if the NPMD is no longer able to furnish samples of it; – not to withdraw the deposit during the required storage period. <p>Import and/or Quarantine Regulations. Any of the microorganisms which belong to biosafety level 2, according to the NITE Classification are subject to import and/or quarantine regulations. Further information can be obtained from Yokohama Plant Protection Station or Animal Quarantine Station administrated by the Ministry of Agriculture, Forestry and Fisheries of Japan. http://www.maff.go.jp/eindex</p> <p>(ii) <u>Making .the Original Deposit</u></p> <p>Requirements to Be Met by the Depositor. Depositors are required to complete the equivalent of model form <i>BP/1</i>, in addition to the NPMD form 2 (Acknowledgement and Agreement for Original Deposit under the Budapest Treaty). In the event of later indication or amendment of the scientific description and/or proposed taxonomic designation, and a request for attestation that the NPMD has received such information, the depositor must complete model form <i>BP/7</i>.</p> <p>Official Notifications to the Depositor. The receipt and viability statement are issued on mandatory "international forms" <i>BP/4</i> and <i>BP/9</i>, respectively. Attestation of receipt of a later indication or amendment of the scientific description and/or proposed taxonomic designation is issued on model form <i>BP/8</i>.</p>		

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
<p>INTELLECTUAL PROPERTY (continued)</p> <p>Unofficial Notifications to the Depositor. The NPMD will inform the date of deposit and "provisional" accession number before the official receipt is issued, but the depositor must recognise that this information becomes official only on completion of the viability test and the payment.</p> <p>Supply of Information to a Patent Agent. The NPMD does not ask the depositor for the name and address of his patent agent, if requested, the NPMD will supply the receipt and the viability statement through the depositor's patent agent.</p> <p>(iii) <u>Converting a Previous Deposit</u></p> <p>Deposits made outside the provisions of the Budapest Treaty may be converted by the original depositor to Budapest Treaty deposits provided they were originally made for patent purposes. The administrative requirements for conversion are the same as those to be met in respect of an original deposit made under the Treaty, except that the depositor is also required to supply a copy of the receipt of the previous deposit. The storage fee will be charged to the original depositor for conversion.</p> <p>(iv) <u>Making a New Deposit</u></p> <p>The depositor will be required to complete model form <i>BP/2</i> when making a new deposit, and to supply copies of the relevant documents specified in Rule 6,2. The receipt and the viability statement for a new deposit are issued on mandatory "international forms" <i>BP/5</i> and <i>BP/9</i>, respectively.</p> <p>2. <u>Furnishing of Samples</u></p> <p>(a) <u>Requests for Samples</u></p> <p>The NPMD advises third parties of the correct procedures to follow in order to make a valid request and supplies the request forms used by Japan Patent Office. Request forms used by other individual industrial properties office must be obtained from the appropriate industrial property offices. Requesting parties are required to complete the NPMD form 14, (Acknowledgement and Agreement for Furnishing and Use of Samples) to comply with health and safety requirements.</p> <p>All samples of microorganisms furnished by the NPMD may be from preparations supplied by the depositor.</p> <p>(b) <u>Notification of the Depositor</u></p> <p>Depositors are notified on model form <i>BP/14</i> when samples of their microorganism have been furnished to third party.</p>		

Date

Treaty Series
and
Command Nos.**INTELLECTUAL PROPERTY** (continued)Cataloguing of Budapest Treaty Deposits

The NPMD does not publish any catalogue.

3. Schedule of Fees**Yen**

(a) Storage	
– original deposits	139,000
– new deposits	19,000
(b) Communication under Rule 7.6	2,000
(c) Issuance of viability statement	
– (i) if the viability test is to be carried out	34,000
– (ii) based on the last viability test	2,000
(d) Furnishing of a sample	6,000
(e) Attestation under Rule 8.2	2,000
(f) Issuance of some kinds of certification	2,000

Japanese consumption tax at the rate of 5% will be charged for (a) and (c)(i).

4. Guidance for Depositors

The NPMD provides pamphlets for the guidance of prospective depositors.

(b) List of Kinds of Microorganisms Accepted by IDAs (continued)

	NIBSC (GB)	NMLHC (CA)	NPMD (JP)	NRCA (RU)	NRRL (US)	PCM (PL)	VKM (RU)	VKPM (RU)
Algae								
Animal viruses								
Animal cell cultures								
Bacteria (pathogenic)			X					
Bacteria (non-pathogenic)			X					
Bacteriophages			X					
Embryos								
Eukaryotic DNA								
Fungi (pathogenic)			X					
Fungi (non-pathogenic)			X					
Human cell cultures								
Hybridomas								
Molds								
Murine embryos								
Mycoplasma								
Nematodes								
Oncogenes								
Plant cell cultures								
Plant viruses								
Plasmids (in hosts)			X					
Plasmids (not in hosts)			X					
Protozoa (parasitic)								
Protozoa (non-parasitic)								
Protozoa (pathogenic)								
RNA								
Seeds								
Yeasts (pathogenic)			X					
Yeasts (non-pathogenic)			X					

	Date	Treaty Series and Command Nos.
<p>INTELLECTUAL PROPERTY (continued)</p> <p>Note-</p> <p>On 13 May 2005, Secretary-General of WIPO, as depositary, received the following communication from the government of <i>the United Kingdom of Great Britain and Northern Ireland</i>, relating to changes in the address and requirements of the of the National Collections of Industrial Food and Marine Bacteria (NCIMB), as follows;</p> <p style="text-align: center;">COMMUNICATION</p> <p>The Permanent Mission of the United Kingdom of Great Britain and Northern Ireland presents its compliments to the World Intellectual Property Organization (WIPO) and has the honour to refer to the Budapest Treaty on the International Recognition of the Deposit of Micro-organisms for the Purposes of Patent Procedure which was opened for signature at Budapest from 28 April to 31 December 1997.</p> <p>In accordance with Article 7 of the Treaty and Rules 3.1(b), 6.3 and 12.2 of the Regulations under the Treaty, the Government of the United Kingdom of Great Britain and Northern Ireland hereby notifies the World Intellectual Property Organization (in the Annex attached) of certain changes that have occurred in the activities of the National Collections of Industrial, Food and Marine Bacteria (NCIMB).</p> <p>The Permanent Mission has the honour to request that the World Intellectual Property Organization circulate this notification to all Contracting States and intergovernmental industrial property organisations.</p> <p>The Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations avails itself of this opportunity to renew to the World Intellectual Property Organization the assurances of its highest consideration.</p> <p style="text-align: center;">ANNEX</p> <p>NCIMB Ltd Ferguson Building Craibstone Estate Bucksburn Aberdeen AB21 9Y A</p> <p>Telephone: (44-1224) 711 100 or 71 (direct dial) Facsimile: (44-1224) 711 299 Email: t.dando@ncimb.com Internet: http://www.ncimb.com</p> <p>1. <u>Requirements for Deposit</u></p> <p>(a) <u>Kinds of Microorganisms that May Be Deposited</u></p> <p>Bacteria (including actinomycetes), yeasts and bacteriophages up to and including ACDP Group and Class 1, genetically modified microorganisms (GMOs).</p>		

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
<p>INTELLECTUAL PROPERTY (continued)</p> <p>Class 2, GMOs may be accepted for deposit but this is on a case by case basis only. In these instances the period for completion of a deposit would be much longer (minimum 45 days) and additional expenses will be incurred for administration charges in fulfilling regulatory requirements.</p> <p>All deposits should be able to withstand preservation by either freeze- drying or freezing over liquid nitrogen without any significant change to their properties.</p> <p>NCIMB also accepts orthodox seeds i.e. those can be dried to a low moisture content and stored at -20° C (or lower) without damage. All arable crops and many small seeded tree species produce orthodox seeds.</p> <p>Recalcitrant seeds, such as those of cocoa, rubber, some tropical fruits and large seeded woody species, which cannot be dried without damage, are not accepted.</p> <p>The acceptance of seeds by NCIMB and the furnishing of samples thereof are subject at all times to the provisions of the <i>Plant Health (Great Britain) Order 1987</i>, including any future amendments or revisions of the Order.</p> <p>NCIMB must be notified in advance of all intended deposits of seeds so that it may ensure that all relevant regulations are complied with. Any seeds received without prior notification may be destroyed immediately. Notwithstanding the foregoing, NCIMB reserves the right to refuse to accept any material for deposit which, in the opinion of the Curator, presents an unacceptable hazard or is technically too difficult to handle.</p> <p>In exceptional circumstances, NCIMB may accept deposits, which can only be maintained in active culture, but acceptance of such deposits, and relevant fees, must be decided on an individual basis by prior negotiation with the prospective depositor.</p> <p>(b) <u>Technical Requirements and Procedures</u></p> <p>(i) <u>Form and Quantity</u></p> <p>Bacteria and yeasts (including those containing plasmids) are accepted in any form except agar plate cultures (these are too easily damaged in transit). Bacteriophages should be supplied as cell-free lysates along with a suitable host. NCIMB prefers to receive sufficient lysate for direct freezing and distribution but, where this is not possible, smaller volumes from which NCIMB may produce its own lysates are acceptable (see below).</p> <p>Naked plasmids should be submitted as DNA solutions.</p> <p>Seeds may be deposited either</p>		

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>														
<p>INTELLECTUAL PROPERTY (continued)</p> <p>- pre-dried under the IBPGR (International Board for Plant Genetic Resources) recommended conditions appropriate to the species and ready for immediate low-temperature storage, or</p> <p>- freshly harvested for drying by NCIMB, in which case they should be dispatched immediately after harvesting by express delivery in a hermetically sealed container.</p> <p>In all cases, seeds should be fresh, healthy, undamaged, and free from soil or plant-derived debris. Less than 5% of the deposit should contain empty seeds.</p> <p>Normally, a germination rate of at least 85% is required, but deposits may be accepted in certain circumstances where such a regeneration standard is impossible to achieve.</p> <p>The minimum number of replicates to be supplied by the depositor when making his deposit is as follows:</p> <table data-bbox="292 947 986 1164"> <tbody> <tr> <td>Bacteria and yeasts</td> <td>2</td> </tr> <tr> <td>Bacteriophages (at least 10⁸ pfu/ml)</td> <td>2 x 0.5 ml or 1 x 10 ml of cell-free lysate</td> </tr> <tr> <td>Plasmids (DNA at least 20 mcg/ml)</td> <td>1 x 10 ml</td> </tr> </tbody> </table> <p>Seeds at least 250 seeds are required, but it is in the depositor's interest to send as many more as can be spared. (The IBPGR recommends a minimum of 4,000 for long-term storage and the United States Patent and Trademark Office may soon require a minimum of 2,500).</p> <p>(ii) <u>Time Required for Viability Testing</u></p> <p>The average length of time required for testing the viability of the various kinds of microorganisms accepted by NCIMB is given below, but depositors should realise that in some cases viability testing may take longer, as indicated by the figures in brackets:</p> <table data-bbox="292 1619 986 1742"> <tbody> <tr> <td>Bacteria and yeasts</td> <td>3 days (or up to 14 days)</td> </tr> <tr> <td>Bacteriophages</td> <td>3 days (or up to 5 days)</td> </tr> <tr> <td>Plasmids ⁽¹⁾</td> <td>5 days (longer in slow growing hosts)</td> </tr> <tr> <td>Seed ⁽²⁾</td> <td>depends entirely on the kind of seed</td> </tr> </tbody> </table> <p>¹ For plasmids, 'viability' testing consists of inserting the plasmid into a host. If the host is transformed, the 'viability test' is regarded as positive.</p> <p>² For seeds, 'viability' testing means testing for germination.</p>	Bacteria and yeasts	2	Bacteriophages (at least 10 ⁸ pfu/ml)	2 x 0.5 ml or 1 x 10 ml of cell-free lysate	Plasmids (DNA at least 20 mcg/ml)	1 x 10 ml	Bacteria and yeasts	3 days (or up to 14 days)	Bacteriophages	3 days (or up to 5 days)	Plasmids ⁽¹⁾	5 days (longer in slow growing hosts)	Seed ⁽²⁾	depends entirely on the kind of seed		
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Seed ⁽²⁾	depends entirely on the kind of seed															

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
<p>INTELLECTUAL PROPERTY (continued)</p> <p>(iii) <u>Depositor Checks and Renewal of Stocks</u></p> <p>NCIMB prepares its own lyophilized and frozen batches of bacteria at the time of deposit by subculturing material supplied by the depositor. New batches are prepared from these as necessary thereafter for the renewal of diminishing stocks. NCIMB prepares its own frozen batches of bacteriophages by subculturing material supplied by the depositor in those cases where insufficient lysate has been provided for large enough batches to be prepared by direct freezing of the depositor's material. New batches are prepared from these as necessary for the renewal of diminishing stocks.</p> <p>NCIMB prepares frozen batches of naked plasmids and dried batches of seeds direct from material supplied by the depositor. Diminishing stocks are renewed by asking the depositor to make a new deposit.</p> <p>The depositor is requested to check for authenticity samples of all lyophilized and frozen batches prepared by NCIMB.</p> <p>Whichever method is used for preparing batches of samples for distribution, NCIMB nevertheless freezes and stores a portion of the original material supplied by the depositor, wherever possible.</p> <p>(c) <u>Administrative Requirements and Procedures</u></p> <p>(i) <u>General</u></p> <p>Language. The official language of NCIMB is English, Communications in any other language are not accepted.</p> <p>Contract. The NCIMB application form which the depositor is required to complete constitutes a contract by which he is bound;</p> <ul style="list-style-type: none"> – to provide all necessary information requested by NCIMB; to pay all necessary fees; – to indemnify NCIMB against any claims which may be brought against it as a consequence of the release of samples, unless such claims result from negligence on the part of NCIMB; – not to withdraw his deposit during the required storage period; – to authorise NCIMB to furnish samples according to the applicable patent requirements . <p>When a microorganism has been accepted for deposit, NCIMB notifies the depositor and reminds him that he is bound by the terms and conditions of its contract.</p>		

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
<p>INTELLECTUAL PROPERTY (continued)</p> <p>Import and/or Quarantine Regulations. Most of the kinds of microorganisms accepted by NCIMB are not subject to import or quarantine regulations. However, non-indigenous plant pathogens and certain seeds require a license to be worked with in Scotland, and prospective depositors of plant pathogens or seeds should contact NCIMB in advance so that the necessary arrangements can be made. Failure to comply with this requirement may result in the immediate destruction by NCIMB of the material submitted. Further information may be obtained from the Department of Agriculture and Fisheries for Scotland, Agricultural Scientific Services, East Craigs, Edinburgh EH12 8NJ, Scotland, United Kingdom.</p> <p>(ii) <u>Making the Original Deposit</u></p> <p>Requirements to Be Met by the Depositor. As well as NCIMB application form referred to in (i), above, depositors are required to complete the NCIMB accession form for patent deposits. NCIMB does not require a special form to be completed in the event of a later indication or amendment of the scientific description and for proposed taxonomic designation, or for a request for attestation that NCIMB has received such information.</p> <p>Official Notifications to the Depositor. The receipt and viability statement are issued on mandatory 'international forms' <i>BP/4</i> and <i>BP/9</i>, respectively. Attestation of receipt of a later indication or amendment of the scientific description and/or proposed taxonomic designation is issued on model <i>BP/8</i>. Notification of the furnishing of samples to third parties is issued on model form <i>BP/14</i>. NCIMB has its own standard forms for notifying the depositor of acceptance of a microorganism (see (i), above) or of refusal to accept a microorganism, and for notifying the depositor of the inability of NCIMB to furnish samples. Individual letters, rather than standard forms, are used for other official notifications.</p> <p>Unofficial Notifications to the Depositor. If requested, NCIMB will telephone, fax or email the date of deposit and the accession number after the microorganism has been received, but before the official receipt is issued. However, the depositor is informed that such information is provisional, pending the outcome of the viability test. NCIMB will similarly communicate the result of the viability test before the viability statement is issued.</p> <p>Supply of Information to a Patent Agent. NCIMB routinely asks the depositor for the name and address of his patent agent and, if requested, will supply copies of the receipt, viability statement and any other information to both the depositor and his patent agent.</p>		

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
<p>INTELLECTUAL PROPERTY (continued)</p> <p>(iii) <u>Converting a Previous Deposit</u></p> <p>Deposits made outside the provisions of the Budapest Treaty may be converted by the original depositor to Budapest Treaty deposits, whether or not they were originally made for patent purposes. However, in the case of deposits previously made for scientific purposes and which are already generally available from NCIMB, the depositor is requested to authorise NCIMB to continue to make them so available and to waive his right to be notified of the release of samples. If the depositor is unwilling to accede to this request, he must make another deposit of the same organism under the Budapest Treaty. These constraints do not apply to deposits previously made for patent purposes or to deposits made confidentially for safekeeping. Any deposit previously made free of charge is subject, on conversion, to the storage fee normally levied for Budapest Treaty deposits. With the exceptions noted above, the administrative requirements for conversion are the same as those to be met in respect of an original deposit made under the Treaty.</p> <p>(iv) <u>Making a New Deposit</u></p> <p>The depositor is required to complete model form <i>BP/2</i> when making a new deposit, and to supply copies of the relevant documents required by Rule 6.2. The receipt and viability statement for a new deposit are issued on mandatory 'international forms' <i>BP/5</i> and <i>BP/9</i>.</p> <p>2. <u>Furnishing of Samples</u></p> <p>(a) <u>Requests for Samples</u></p> <p>NCIMB advises third parties of the correct procedures to follow in order to make a valid request. In the case of requests requiring proof of entitlement, NCIMB will provide requesting parties with copies of model request form <i>BP/12</i> and/or request forms used by individual industrial property offices (where it has been supplied with such forms).</p> <p>Notwithstanding any entitlement of third parties to receive samples under patent regulations, samples of plant pathogens or seeds requiring a permit to be worked with are not released to requesting parties in the United Kingdom until NCIMB has confirmed that such parties have obtained the necessary permit. Also, samples of all microorganisms are delivered only to recognized microbiological laboratories and not to private addresses. When responding to requests from abroad, NCIMB assumes that the requesting party has met the import requirements of his own country.</p> <p>All samples of bacteria furnished by NCIMB are from batches of its own preparations; samples of bacteriophages may be from its own preparations or from material supplied by the depositor; samples of plasmids and seeds are from material supplied by the depositor.</p>		

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>								
<p>INTELLECTUAL PROPERTY (continued)</p> <p>(b) <u>Notification of the Depositor</u></p> <p>Depositors are notified on model form <i>BP/14</i> when samples of their microorganism have been furnished to third parties.</p> <p>(c) <u>Cataloguing of Budapest Treaty Deposits</u></p> <p>NCIMB lists Budapest Treaty deposits in its published catalog only with the specific written authorization of the depositor.</p> <p style="text-align: center;">3. <u>Schedule of Fees</u></p> <table style="margin-left: auto; margin-right: auto;"> <tr> <td></td> <td style="text-align: right;"><u>GBP</u></td> </tr> <tr> <td>(a) Storage</td> <td style="text-align: right;">525</td> </tr> <tr> <td>(b) Issuance of a viability statement</td> <td style="text-align: right;">90</td> </tr> <tr> <td>(c) Furnishing of a sample (plus expedition cost)</td> <td style="text-align: right;">65</td> </tr> </table> <p>Fees are payable to NCIMB. Where applicable, fees are subject to Value Added Tax at the current rate.</p> <p>Where statutory provisions require NCIMB to obtain a license or certificate prior to accepting a deposit of seeds, the actual cost of obtaining any such license or certificate will be charged to the depositor.</p> <p style="text-align: center;">4. <u>Guidance for Depositors</u></p> <p>NCIMB publishes a leaflet containing guidance notes for prospective depositors.</p> <p>Note-</p> <p>In a further note dated 26 May 2005, Secretary-General of WIPO, as depositary, received the following communication from the government of <i>the United Kingdom of Great Britain and Northern Ireland</i>, relating to changes in the Address and Requirements of the National Collection of Type Cultures (NCTC) , as follows;</p> <p style="text-align: center;">COMMUNICATION</p> <p>The Permanent Mission of the United Kingdom of Great Britain and Northern Ireland presents its compliments to the World Intellectual Property Organization (WIPO) and has the honour to refer to the Budapest Treaty on the International Recognition of the Deposit of Micro-organisms for the Purposes of Patent Procedure which was opened for signature at Budapest from 28 April to 31 December 1997.</p> <p>In accordance with Article 7 of the Treaty and Rules 3.1(b) and 6.3, of the Regulations under the Treaty, the Government of the United Kingdom of Great Britain and Northern Ireland hereby notifies the World Intellectual Property Organization (in the Annex attached) of certain changes that have occurred in the activities of the United Kingdom's National Collection of Type Cultures (NCTC).</p>		<u>GBP</u>	(a) Storage	525	(b) Issuance of a viability statement	90	(c) Furnishing of a sample (plus expedition cost)	65		
	<u>GBP</u>									
(a) Storage	525									
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	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
<p>INTELLECTUAL PROPERTY (continued)</p> <p>The Permanent Mission has the honour to request that the World Intellectual Property Organization circulate this notification to all Contracting States and intergovernmental industrial property organisations.</p> <p style="text-align: center;">ANNEX</p> <p><u>Changes occur in the address:</u></p> <p>NATIONAL COLLECTION OF TYPE CULTURES (NCTC) HPA Centre for Infections 61 Colindale Avenue London NW9 5HT</p> <p>Telephone: (44-020) 8200 4400 Facsimile: (44-020) 8205 7483 E-mail: nctc@hpa.org.uk Internet: http://www.hpa.org.uk/nctc/</p> <p>No change in 1. <u>Requirements for Deposit</u> No change in (a) <u>Kinds of Micro-organisms that may be Deposited</u> No change in (b) <u>Technical Requirements and Procedures</u> No change in (i) <u>Form and Quantity</u> No change in (ii) <u>Time Required for Viability Testing</u> No change in (iii) <u>Depositor Checks and Renewal of Stocks</u></p> <p><u>Changes occur in:</u></p> <p>(c) <u>Administrative Requirements and Procedures</u></p> <p style="padding-left: 40px;">(i) <u>General</u></p> <p>Language. The official language of the NCTC is English. Communications in any other language are not accepted.</p> <p>Contract. The NCTC application form, which the depositor is required to complete, constitutes a contract by which he is bound:</p> <ul style="list-style-type: none"> – to provide all necessary information requested by the NCTC; – to replace the micro-organism at his expense if the NCTC is no longer able to furnish samples of it; – to pay all necessary fees; – to indemnify the Health Protection Agency or the NCTC against any claims which may be brought against them as a consequence of the release of samples, unless such claims result from negligence on the part of the NCTC; – not to withdraw his deposit during the required storage period; 		

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
<p>INTELLECTUAL PROPERTY (continued)</p> <p>– to authorise the NCTC to furnish samples according to the applicable patent requirements.</p> <p>A supplement to the NCTC application form requires the depositor to state whether he is acting on his own behalf or on behalf of the Organisation employing him.</p> <p>Import and/or Quarantine Regulations. Animal pathogenic bacteria being sent from overseas are subject to import regulations (Importation of Animal Pathogens Order 1980; Statutory Instrument 1980 No. 1212). The HPA Centre for Infections, of which the NCTC is part, has a general license to cover the import of animal pathogens, but the depositor is required to give the NCTC his name and address and the scientific name of the organism to be deposited. Further information about the import of animal pathogens may be obtained from The Pathogens Licensing Team, DEFRA, Area 607, 1A Page Street, London SW1P 4PQ, United Kingdom.</p> <p>The kinds of micro-organisms accepted for deposit by the NCTC are not subject to quarantine regulations.</p> <p>(ii) <u>Making the Original Deposit</u></p> <p>Requirements to Be Met by the Depositor. As well as the NCTC application form referred to in (i), above, depositors are required to complete the NCTC accession form for Budapest Treaty deposits. The NCTC does not require a special form to be completed in the event of a later indication or amendment of the scientific description and/or proposed taxonomic designation or a for a request for attestation that the NCTC has received such information.</p> <p>Official Notifications to the Depositor. The receipt and viability statement are issued on mandatory 'international forms' <i>BP/4</i> and <i>BP/9</i>, respectively. Letters, rather than standard forms, are used for all other official notifications.</p> <p>Unofficial Notifications to the Depositor. The NCTC does not telephone or fax the date of deposit, accession number or result of the viability test in advance of the relevant official notifications.</p> <p>Supply of Information to a Patent Agent. The NCTC does not routinely ask the depositor for the name and address of his patent agent. However, if requested, it will send copies of the receipt and viability statement to both the depositor and his patent agent.</p> <p>No change in (iii) <u>Converting a Previous Deposit</u> No change in (iv) <u>Making a New Deposit</u></p> <p>No change in 2. <u>Furnishing of Samples</u> No change in (a) <u>Requests of Samples</u> No change in (b) <u>Notification of the Depositor</u> No change in (c) <u>Cataloguing of Budapest Treaty Deposits</u></p>		

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
<p>LAW OF THE SEA (continued)</p> <p><i>[Original: English]</i></p> <p>"In accordance with paragraph 1, of the Article 287, of the United Nations Convention on the Law of the Sea the Republic of Latvia declares that it chooses the following means for the settlement of dispute concerning the interpretation or application of this Convention:</p> <p>1) The International Tribunal for the Law of the Sea established in accordance with Annex VI, of the Convention,</p> <p>2) The International Court of Justice."</p> <p>¹ Refer to depositary notification C.N.1340.2005.TREATIES-5 of 04 January 2005</p> <p>Note-</p> <p>On 18 June 2005, the Ministry of Foreign affairs, for the government of <i>Denmark</i>, informed the Heads of Mission accredited to Denmark of the entry into force on 01 July 2005, of Act on the Contiguous Zone establishing a Danish contiguous zone in accordance with the United Nations Convention on the Law of the Sea, and of the entry into force on 09 July 2005, of Executive Order on the Demarcation of the Danish Contiguous Zone indicating the inner and outer limit of the Danish contiguous zone, as follows;</p> <p>Act on the Contiguous Zone ACT No. 589 of 24.06.2005 (in force)</p> <p>WE MARGRETHE THE SECOND, By the Grace of God Queen of Denmark, hereby proclaim: The Folketing has passed and We have confirmed by Royal Consent the following Act:</p> <p>1. Denmark's contiguous zone comprises the sea areas outside and contiguous to the territorial waters up to a distance of 24 nautical miles (44,448 m) from the baselines in force from time to time.</p> <p>2. The demarcation of the contiguous zone so far as this concerns foreign states whose coasts lie opposite the coasts of the Kingdom of Denmark at a distance less than 48 nautical miles - or which border on Denmark - shall in the absence of agreement be identical with a line equidistant from the baselines of the coasts of the two states (the midline principle).</p> <p>(2). The Minister of Foreign Affairs will proclaim the demarcation of the contiguous zone.</p> <p>3. Within the contiguous zone, Denmark may exercise the supervision necessary to</p> <p>1) prevent infringement of the Customs, Fiscal, Immigration or Health Acts and regulations issued pursuant to them within Danish territory or territorial waters, and</p>		

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
<p>LAW OF THE SEA (continued)</p> <p>2) punish such infringement of the above Acts and regulations issued pursuant to them as may be committed within Danish territory or territorial waters.</p> <p>(2). The establishment of an contiguous zone involves no amendment to the legislation on the Exclusive Economic Zone or the continental shelf, nor the monitoring of archaeological and historical objects.</p> <p>4. This Act enters into force on 01 July 2005</p> <p>5. This Act does not apply to the Faroe Islands and Greenland, but may by Royal decree be rendered effective in these provinces subject to the variations dictated by special Greenlandic and Faroese conditions.</p> <p style="text-align: center;"><i>Given at Amalienborg on 24 June 2005 Under Our Royal Hand and Seal MARGRETHE R</i></p> <p style="text-align: right;">/Per Stig Møller</p>		
<p>Executive Order on the Demarcation of the Danish Contiguous Zone EO No. 669 of 29.06.2005 (in force)</p> <p style="text-align: center;">Legislation affected by regulation</p> <p><u>ACT No. 589 of 24.06.2005</u></p> <p style="text-align: center;">Subsequent amendments to regulation Summary (List of contents) Full text of the regulation</p> <p>Executive Order on the Demarcation of the Danish Contiguous Zone</p> <p>The following is laid down pursuant to Section 2 (2), of Act No. 589 of 24 June 2005:</p> <p>1. The contiguous zone comprises the sea areas outside and contiguous to the territorial waters up to a distance of 24 nautical miles from the baselines in force from time to time. Regarding the course of the baselines, see Executive Order No. 680 of 18 July 2003, in amendment of the Executive Order on the Demarcation of the Danish Territorial Waters.</p> <p>2. The demarcation of the contiguous zone so far as this concerns foreign states whose coasts lie opposite the coasts of the Kingdom of Denmark at a distance less than 48 nautical miles - or which border on Denmark - is identical with the demarcation of the Danish Exclusive Economic Zone (cf. Executive Order No. 613 of 19 June 2002 in amendment of the Executive Order on the Danish Exclusive Economic Zone).</p>		

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
<p>MINERALS (continued)</p> <p style="text-align: center;">Annex B Decision</p> <p><u>The Members of the International Cooper Study Group</u></p> <p>Meeting at the Group's 31st Special Session held from 16-17 March 2005, in Lisbon.</p> <p>Considering it desirable to amend certain provisions of the Terms of Reference of the International Copper Study Group which were adopted on 24 February 1989, and entered into force definitively on 23 January 1992, and subsequently amended by the Group at its inaugural session held in Geneva from 22 to 26 June 1992,</p> <p>Acting pursuant to paragraph 21, of the Terms of Reference,</p> <p><u>Represented</u> by delegations duly authorised for this purpose</p> <p>1. <u>Decide</u> by consensus to amend paragraph 15 (a), of the Terms of Reference as follows;</p> <p>Paragraph 15 (a), is deleted and replaced by the following provision;</p> <p>"15 (a), Each member shall contribute to an annual budget which shall be approved by the Group in accordance with the provisions of the Rules of Procedure. For the purpose of assessing the contributions of members, 50 percent of the budget shall be apportioned equally among them; 25 percent shall be apportioned among member States in proportion to their shares in the total exports and imports of member States of copper ores and concentrates, measured in copper metal content, and unrefined and refined copper; and the remaining 25 percent shall be apportioned among member States in proportion to their shares in a total which shall consist of the mine production or refined consumption of Cooper of each member State, whichever is the higher. The calculation of these shares shall be based on the latest three calendar years for which statistics are available. The maximum amount payable by an individual member shall be capped at 10% of total budgeted assessments with the balance redistributed equally across remaining members."</p> <p>2. <u>Decide also</u> that this amendment shall enter into force for all parties immediately and apply to member assessments for 2006 and future years;</p> <p>3. <u>Decide further</u> that any State or intergovernmental organization that accepts the Terms of Reference after the entry into force of the amendment shall be deemed to have accepted the Terms of Reference as amended;</p> <p>4. <u>Request</u> the depositary to circulate the amendment to the States, international organizations concerned and the Secretary General of the International Copper Study Group;</p>		

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
POLLUTION (continued)		
Entry into Force-		
Namibia	22 Sep., 2005	
Mauritania	20 Oct., 2005	
Mauritius	03 Nov., 2005	
Pakistan	12 Oct., 2005	
 Stockholm Convention on Persistent Organic Pollutants		
	Adopted Stockholm 22 May, 2001	022/2005 Cm 6581
Ratification-		
Burundi	02 Aug., 2005	
Mauritania	22 July, 2005	
Micronesia (<i>with declaration*</i>)	15 July, 2005	
Niue	02 Sep., 2005	
Syria (<i>with declaration⁺</i>)	05 Aug., 2005	
Accession-		
Libya	14 June, 2005	
Namibia	24 June, 2005	
Entry into Force-		
Burundi	31 Oct., 2005	
Libya	12 Sep., 2005	
Mauritania	20 Oct., 2005	
Micronesia	13 Oct., 2005	
Namibia	29 Sep., 2005	
Niue	01 Dec., 2005	
Syria	03 Nov., 2005	
 <i>Declaration*</i> [Original: English]		
<p>The Federated States of Micronesia declares in accordance with the provisions of article 25, paragraph 4, of the Stockholm Convention on Persistent Organic Pollutants, that any amendment to Annex A, B or C shall enter into force only upon the deposit of the Federated States of Micronesia's instrument of ratification, acceptance, approval or accession thereto.</p>		
<p>The Federated States of Micronesia declares in accordance with Article 18, paragraph 2, of the Stockholm Convention on Persistent Organic Pollutants that it accepts both of the means of dispute settlement mentioned in this paragraph as compulsory in relation to any party accepting an obligation concerning one or both of these means of dispute settlement.</p>		
 <i>Declaration⁺</i> [Translation: Original: Arabic / French]		
<p>The ratification of the Syrian Arab Republic to this Convention shall in no way signify the recognition of Israel or entail entry into any dealings with Israel in the context of the provisions of this Convention.</p>		

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
<p>PRIVATE INTERNATIONAL LAW (continued)</p> <p style="text-align: center;"><u>AUTHORITY MODIFICATION</u></p> <p style="text-align: center;">As from 01 September 2005</p> <p>-the Tribunals for the official documents mentioned in article 1, a), c), d);</p> <p>-the Prefectures for the official documents mentioned in article 1b).</p> <p>Note-</p> <p>On 10 August 2005, the Secretary-General of the Kingdom of the Netherlands, as depositary, received from the government of the <i>Russian Federation</i> a notification as follows;</p> <p style="text-align: center;">AUTHORITY MODIFICATION</p> <ol style="list-style-type: none"> 1. The General Prosecutor's Office of the Russian Federation; 2. The Ministry for Internal Affairs of the Russian Federation; 3. The Federal Registration Service (Rosregistratsia) and its territorial bodies in subjects of the Russian Federation; 4. The Register Offices of the executive bodies in subjects of the Russian Federation; 5. The Federal Supervision Service for Education and Science; 6. The Federal Archives Agency and the authorised bodies for archives of the executive power in subjects of the Russian Federation. 		
<p>Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters</p> <p>Note-</p> <p>On 04 July 2005, the Secretary-General of the Kingdom of the Netherlands, as depositary, received from the government of the <i>Federal Republic of Germany</i>, a notification as follows;</p> <p style="text-align: center;"><i>[Translation: Original: German]</i></p> <p>The Central Authority under article 2, paragraph 1, of the Convention for the Land of Hessen has changed and is now:</p> <p style="text-align: center;">AUTHORITY MODIFICATION</p> <p>Oberlandesgericht Frankfurt am Main Zeil 42 Postfach 10 01 01 60313 Frankfurt am Main tel.: +49 69 1367 01 fax: +49 69 1367 2976</p>	<p>The Hague 15 Nov., 1965</p>	<p>050/1969 Cmnd 3986</p>

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
<p>PRIVATE INTERNATIONAL LAW (continued)</p> <p>It replaces the former Central Authority: Hessisches Ministerium der Justiz, Luisenstrasse 13,65185 Wiesbaden.</p> <p>Note-</p> <p>On 04 July 2005, the Secretary-General of the Kingdom of the Netherlands, as depositary, issued the following;</p> <p>Saint Vincent and the Grenadines deposited their instrument of succession to the Convention, with the Ministry of Foreign Affairs of the Kingdom of the Netherlands, on 06 January 2005. The Contracting States were informed of the succession by depositary notification No. 1/2005 on 31 January 2005.</p> <p>None of these States raised an objection to the succession within the period of six months specified in this notification in analogy with the provisions of Article 28, second paragraph, which period expired on 01 August 2005.</p> <p>Therefore, the Convention remains in force between Saint Vincent and the Grenadines and the Contracting States from 27 October 1979, the date of independence of Saint Vincent and the Grenadines.</p>		
<p>European Convention on the Adoption of Children [ETS No. 58]</p> <p>On the 20 June 2005, the Secretary-General of the Council of Europe, as depositary, received from the government of the <i>United Kingdom of Great Britain and Northern Ireland</i>, a declaration, in respect of the above mentioned agreement, as follows;</p> <p>... on instructions from Her Majesty's Principal Secretary of State for Foreign and Commonwealth Affairs, to refer to the European Convention on the Adoption of Children opened for signature at Strasbourg on 24 April 1967, in accordance with the provisions of Article 27, paragraph 2, of the Convention, to inform you that the Government of the United Kingdom hereby denounces the said Convention in respect of the United Kingdom and the following territory for whose international relations the United Kingdom is responsible:</p> <p>The Isle of Man</p> <p>but not in respect of the Bailiwicks of Jersey and Guernsey to which the Convention was also extended by the United Kingdom.</p>	<p>Strasbourg 24 Apr., 1967</p>	<p>051/1968 Cm 3673</p>
<p>Convention on the Taking of Evidence Abroad in Civil or Commercial Matters</p>	<p>The Hague 18 Mar., 1970</p>	<p>020/1977 Cm 6727</p>
<p>Acceptance-</p> <p>Latvia</p> <p>Spain</p>	<p>28 July, 2005 11 July, 2005</p>	

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
PRIVATE INTERNATIONAL LAW (continued)		
Convention on the Transfer of Sentenced Persons [ETS No. 112]	Strasbourg 21 Mar., 1983	015/1985 Cmnd 9617
Accession - Republic of Korea (<i>with declaration*</i>)	20 July, 2005	
Entry into Force - Republic of Korea	01 Nov., 2005	
<i>Declaration*</i>		
<p>In accordance with Article 3, paragraph 3, of the Convention, the Republic of Korea intends to exclude the application of the procedure provided in Article 9, paragraph 1 (b), in cases when the Republic of Korea is the administering State.</p> <p>In accordance with Article 5, paragraph 3, of the Convention, the Republic of Korea declares that diplomatic channels shall be used except for in case of emergency or other extraordinary circumstances.</p> <p>In accordance with Article 16, paragraph 7, of the Convention, the Republic of Korea shall be notified in advance about any event of transit of sentenced persons by air over its territory, even when no landing there is scheduled.</p> <p>In accordance with Article 17, paragraph 3, of the Convention, the Republic of Korea requires that requests for transfer and supporting documents shall be accompanied by a translation into the Korean language or into the English language.</p> <p>The Republic of Korea declares that, in accordance with the law applicable in the Republic of Korea, the consent of the person concerned cannot be withdrawn once confirmed by the competent authorities of the Republic of Korea through written document signed by that person.</p>		
<p>Note-</p> <p>On 17 June 2005, Secretary-General of the Council of Europe, as depositary, received from the government of <i>France</i> the following;</p> <p>The Government of the French Republic have considered the declaration contained in the instrument of accession of the Republic of Mauritius to the Convention on the Transfer of Sentenced Persons of 21 March 1983. Under the terms of this declaration, the Convention shall apply to the Republic of Mauritius, which, pursuant to section 111 of the Constitution of Mauritius includes <i>inter alia</i> the Isle of Tromelin.</p> <p>The Government of the French Republic has sovereignty over the Isle of Tromelin and exercises, in this territory, all rights and competences attached to its sovereignty. Therefore, the Government of the French Republic does not accept the declaration of the Republic of Mauritius in relation with the Isle of Tromelin, and considers that it is devoid of any legal bearing.</p>		

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>																					
SHIPPING (continued)																							
Note																							
On 18 July 2005, Secretary-General of the International Maritime Organisation, as depositary, received a notification from the government of the <i>People's Republic of China</i> , and issued this communication, as follows;																							
...that China has decided to apply to the Macau Special Administrative Region of the People's Republic of China the following treaty and amendments;																							
International Convention on Load Lines, 1966.																							
International Convention on Tonnage Measurement of Ships, 1969.																							
International Convention on Standards of Training, Certification and Watchkeeping for Seafarers 1978.																							
1991 Amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 [Resolution MSC.21(59)].																							
1995 Amendments to the Annex to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, with Final Act.																							
1997 Amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, as amended [Resolution MSC 66(68)].																							
1997 Amendments to the Seafarers' Training, Certification and Watchkeeping (STCW) Code [Resolution MSC 67(68)].																							
With regard to LL 1966, TONNAGE 1969 and STCW 1978, these were not previously extended and are, consequently, now applicable to the Macau Special Administrative Region with effect from 18 July 2005, the date on which your notification was received by this Organization. Interested Governments are being informed accordingly.																							
As concerns the amendments to STCW 1978, these have already entered into force in accordance with the procedures laid down in article XII of the Convention (tacit acceptance), for all Parties to the Convention, including China. They will, therefore, also be applicable to the Macau Special Administrative Region, with effect from 18 July 2005. The details of the deemed acceptance and entry into force dates for the amendments are as follows;																							
<table border="1"> <thead> <tr> <th data-bbox="161 1713 574 1803">Amendments</th> <th data-bbox="574 1713 766 1803">Deemed acceptance date</th> <th data-bbox="766 1713 997 1803">Entry into Force date</th> </tr> </thead> <tbody> <tr> <td data-bbox="161 1803 574 1848">1991 (Chapters I, II, IV and VI)</td> <td data-bbox="574 1803 766 1848">1 June 1992</td> <td data-bbox="766 1803 997 1848">1 December 1992</td> </tr> <tr> <td data-bbox="161 1848 574 1892">1994 (Chapter V)</td> <td data-bbox="574 1848 766 1892">1 July 1995</td> <td data-bbox="766 1848 997 1892">1 January 1996</td> </tr> <tr> <td data-bbox="161 1892 574 1937">1995 (Chapter I and STCW Code)</td> <td data-bbox="574 1892 766 1937">1 August 1996</td> <td data-bbox="766 1892 997 1937">1 February 1997</td> </tr> <tr> <td data-bbox="161 1937 574 1982">1997 (Chapter V)</td> <td data-bbox="574 1937 766 1982">1 July 1998</td> <td data-bbox="766 1937 997 1982">1 January 1999</td> </tr> <tr> <td data-bbox="161 1982 574 2027">1997 (STCW Code)</td> <td data-bbox="574 1982 766 2027">1 July 1998</td> <td data-bbox="766 1982 997 2027">1 January 1999</td> </tr> <tr> <td data-bbox="161 2027 574 2072">1998 (STCW Code)</td> <td data-bbox="574 2027 766 2072">1 July 2002</td> <td data-bbox="766 2027 997 2072">1 January 2003</td> </tr> </tbody> </table>	Amendments	Deemed acceptance date	Entry into Force date	1991 (Chapters I, II, IV and VI)	1 June 1992	1 December 1992	1994 (Chapter V)	1 July 1995	1 January 1996	1995 (Chapter I and STCW Code)	1 August 1996	1 February 1997	1997 (Chapter V)	1 July 1998	1 January 1999	1997 (STCW Code)	1 July 1998	1 January 1999	1998 (STCW Code)	1 July 2002	1 January 2003		
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	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
TERRORISM (continued)		
(d) The offence is committed in an attempt to compel that State to do or abstain from doing any act".		
International Convention for the Suppression of the Financing of Terrorism	New York 09 Dec., 1999	028/2002 Cm 5550
Ratification -		
Egypt (<i>with declaration* and reservation*</i>)	01 Mar., 2005	
Ireland	30 July, 2005	
Accession -		
Bangladesh (<i>with reservation⁺</i>)	24 Aug., 2005	
Entry into Force -		
Bangladesh	25 Sep., 2005	
Egypt	31 Mar., 2005	
Ireland	30 July, 2005	
<i>Declaration*</i>		
Without prejudice to the principles and norms of general international law and the relevant United Nations resolutions, the Arab Republic of Egypt does not consider acts of national resistance in all its forms, including armed resistance against foreign occupation and aggression with a view to liberation and self-determination, as terrorist acts within the meaning of article 2, [paragraph 1] subparagraph (b), of the Convention.		
<i>Reservation*</i>		
1. Under article 2, paragraph 2 (a), of the Convention, the Government of the Arab Republic of Egypt considers that, in the application of the Convention, conventions to which it is not a party are deemed not included in the annex.		
2. Under article 24, paragraph 2, of the Convention, the Government of the Arab Republic of Egypt does not consider itself bound by the provisions of paragraph		
<i>Reservation⁺</i>		
"Pursuant to Article 24, paragraph 2 of the Convention [the] Government of the People's Republic of Bangladesh does not consider itself bound by the provisions of Article 24, paragraph 1 of the Convention."		
"[The] Government of the People's Republic of Bangladesh understands the its accession to this Convention shall not be deemed to be inconsistent with its international obligations under the Constitution of the country."		
Note-		
On 25 August 2005, the Secretary-General of the United Nations, as depositary, received from the government of <i>Austria</i> , an Objection relating to the declaration made by Egypt upon ratification ¹ , as follows;		

	Date	Treaty Series and Command Nos.
<p>TERRORISM (continued)</p> <p>"The Government of Austria has carefully examined the Declaration relating to paragraph 1 (b), of Article 2, of the International Convention for the Suppression of the Financing of Terrorism made by the Government of the Arab Republic of Egypt at the time of its ratification of the Convention. The Government of Austria considers that this declaration is in fact a reservation that seeks to limit the scope of the Convention on a unilateral basis and is therefore contrary to its object and purpose, which is the suppression of the financing of terrorist acts, irrespective of where they take place and of who carries them out.</p> <p>The Declaration is furthermore contrary to the terms of Article 6 of the Convention, according to which States Parties commit themselves to "adopt such measures as may be necessary, including, where appropriate, domestic legislation, to ensure that criminal acts within the scope of this Convention are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature."</p> <p>The Government of Austria recalls that, according to customary international law as codified in the Vienna Convention on the Law of Treaties, a reservation incompatible with the object and purpose of a treaty shall not be permitted. It is in the common interest of States that treaties to which they have chosen to become parties are respected as to their object and purpose and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.</p> <p>The Government of Austria therefore objects to the aforesaid reservation made by the Government of the Arab Republic of Egypt to the International Convention for the Suppression of the Financing of Terrorism. However, this objection shall not preclude the entry into force of the Convention between Austria and the Arab Republic of Egypt."</p> <p>¹ Refer to depositary notification C.N.176.2005. TREATIES-3 of 05 August 2005</p> <p>Note-</p> <p>On 20 July 2005, the Secretary-General of the United Nations, as depositary, received from the government of <i>Finland</i> an Objection, relating to the declaration made by Egypt upon ratification¹, as follows;</p> <p><i>[Original: English]</i></p> <p>"The Government of Finland has carefully examined the contents of the interpretative declaration relating to paragraph 1 (b), of article 2, of the Convention for the Suppression of the Financing of Terrorism made by the Government of the Arab Republic of Egypt.</p> <p>The Government of Finland is of the view that the declaration amounts to a reservation as its propose is to unilaterally limit the scope of the Convention. The Government of Finland further considers the declaration to be in contradiction with the object and propose of the Convention, namely the suppression of the financing of terrorist acts wherever and by whomever they may be carried out.</p>		

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
<p>TERRORISM (continued)</p> <p>The declaration is, furthermore, contrary to the terms of Article 6, of the Convention according to which State Parties commit themselves to adopt measures as may be necessary to ensure that criminal acts within the scope of the Convention are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or similar nature.</p> <p>The Government of Finland wishes to recall that, according to the customary international law as codified in the Vienna Convention on the Law of the Treaties, a reservation incompatible with the object and purpose of the Convention shall not be permitted.</p> <p>It is in the common interest of states that treaties to which they have chosen to become parties are respected as to their object and purpose and that states are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.</p> <p>The Government of Finland therefore objects to the above-mentioned interpretative declaration made by the Government of the Arab Republic of Egypt to the Convention.</p> <p>This objection does not preclude the entry into force of the Convention between the Arab Republic of Egypt and Finland. The Convention will thus become operative between the two states without the Arab Republic of Egypt benefiting from its declaration."</p> <p>¹ Refer to depositary notification C.N.176.2005. Treaties- 3 of 11 March 2005</p> <p>Note-</p> <p>In a Further note dated 20 July 2005, the Secretary-General of the United Nations, as depositary, received from the government of <i>Finland</i>, an Objection, relating to the declaration made by Syrian Arab Republic upon accession¹, as follows;</p> <p><i>[Original: English]</i></p> <p>"The Government of Finland has carefully examined the contents of the reservation relating to paragraph 1 (b), of article 2, of the Convention for the Suppression of the Financing of Terrorism made by the Government of the Syrian Arab Republic.</p> <p>The Government of Finland considers the reservation to be in contradiction with the object and purpose of the Convention, namely the suppression of the financing of terrorist acts wherever and by whomever they may be carried out.</p> <p>The reservation is, furthermore, contrary to the terms of Article 6, of the Convention according to which State Parties commit themselves to adopt measures as may be necessary to ensure that criminal acts within the scope of the Convention are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or similar nature.</p>		

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
<p>TERRORISM (continued)</p> <p>The Government of Finland wishes to recall that, according to the customary international law as codified in the Vienna Convention on the Law of the Treaties, a reservation incompatible with the object and purpose of the Convention shall not be permitted.</p> <p>It is in the common interest of states that treaties to which they have chosen to become parties are respected as to their object and purpose and that states are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.</p> <p>The Government of Finland therefore objects to the above-mentioned reservation made by the Government of the Syrian Arab Republic to the Convention.</p> <p>This objection does not preclude the entry into force of the Convention between the Syrian Arab Republic and Finland. The Convention will thus become operative between the two states without the Syrian Arab Republic benefiting from its reservation."</p> <p>¹ Refer to depositary notification C.N.326.2005. TREATIES-6 of 04 May 2005</p> <p>Note-</p> <p>On 15 August 2005, the Secretary-General of the United Nations, as depositary, received from the government of <i>France</i>, a communication relating to the declaration made by Egypt upon ratification¹, as follows;</p> <p><i>[Translation: Original: French]</i></p> <p>The Government of the French Republic has examined the declaration made by the Government of the Arab Republic of Egypt upon ratification of the International Convention for the Suppression of the Financing of Terrorism of 09 December 1999, whereby Egypt "...does not consider acts of national resistance in all its forms, including armed resistance against foreign occupation and aggression with a view to liberation and self-determination, as terrorist acts within the meaning of article 2, [paragraph 1,] subparagraph (b), of the Convention..",</p> <p>However, the Convention applies to the suppression of the financing of all acts of terrorism and states particularly in its article 6 that" each State Party shall adopt such measures as may be necessary, including, where appropriate, domestic legislation, to ensure that criminal acts within the scope of this Convention are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature".</p> <p>The Government of the French Republic considers that the said declaration constitutes a reservation, contrary to the object and the purpose of the Convention and objects to that reservation. This objection does not preclude the entry into force of the Convention between the Arab Republic of Egypt and France.</p> <p>¹ Refer to depositary notification C.N.176.2005.TREATIES-3 of 05 August 2005</p>		

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
<p>TERRORISM (continued)</p> <p>Note-</p> <p>In a Further noted dated 15 August 2005, the Secretary-General of the United Nations, as depositary, received from the government of <i>France</i>, a communication relating to the reservation made by Syrian Arab Republic upon accession¹, as follows;</p> <p><i>[Translation: Original: French]</i></p> <p>The Government of the French Republic has examined the reservations made by the Government of the Syrian Arab Republic upon accession to the International Convention for the Suppression of the Financing of Terrorism of 09 December 1999, inasmuch as Syria considers, with regard to the provisions of article 2, paragraph 1 (b), of the Convention that "...Acts of resistance to foreign occupation are not included under acts of terrorism...".</p> <p>However, the Convention applies to the suppression of the financing of all acts of terrorism and states particularly in its article 6, that "each State Party shall adopt such measures as may be necessary, including, where appropriate, domestic legislation, to ensure that criminal acts within the scope of this Convention are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature".</p> <p>The Government of the French Republic considers that the said reservation is contrary to the object and the purpose of the Convention and objects to the reservation. This objection does not preclude the entry into force of the Convention between Syria and France.</p> <p>¹ Refer to depositary notification C.N.326.2005. TREATIES-6 of 04 May 2005</p> <p>Note-</p> <p>On 16 August 2005, the Secretary-General of the United Nations, as depositary, received from the government of <i>Germany</i>, a communication relating to the declaration made by Egypt upon ratification¹, as follows;</p> <p><i>[Translation: Original: German]</i></p> <p>The Government of the Federal Republic of Germany has carefully examined the declaration made by the Arab Republic of Egypt to the International Convention for the Suppression of the Financing of Terrorism upon ratification of the Convention relating to Article 2, paragraph 1 (b), thereof. It is of the opinion that this declaration amounts to a reservation, since its purpose is to unilaterally limit the scope of the Convention. The Government of the Federal Republic of Germany is furthermore of the opinion that the declaration is in contradiction to the object and purpose of the Convention, in particular the object of suppressing the financing of terrorist acts wherever and by whomever they may be committed.</p>		

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
<p>TERRORISM (continued)</p> <p>The declaration is further contrary to the terms of Article 6, of the Convention, according to which States Parties commit themselves to adopt such measures as may be necessary, including, where appropriate, domestic legislation, to ensure that criminal acts within the scope of this Convention are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature.</p> <p>The Government of the Federal Republic of Germany recalls that, according to customary international law as codified in the Vienna Convention on the Law of Treaties, reservations that are incompatible with the object and purpose of a convention are not permissible.</p> <p>The Government of the Federal Republic of Germany therefore objects to the above-mentioned declaration by the Arab Republic of Egypt to the International Convention for the Suppression of the Financing of Terrorism. This objection shall not preclude the entry into force of the Convention as between the Federal Republic of Germany and the Arab Republic of Egypt.</p> <p>¹ Refer to depositary notification C.N.I76.2005. TREATIES-3 of 05 August 2005</p> <p>Note-</p> <p>In a Further note dated 16 August 2005, the Secretary-General of the United Nations, as depositary, received from the government of <i>Germany</i>, a communication relating to the reservation made by Syrian Arab Republic upon accession¹, as follows;</p> <p><i>[Translation: Original: German]</i></p> <p>The Government of the Federal Republic of Germany has carefully examined the reservation made by the Syrian Arab Republic to the International Convention for the Suppression of the Financing of Terrorism upon accession to the Convention relating to Article 2, paragraph 1 (b), thereof. It is of the opinion that this reservation unilaterally limits the scope of the Convention and is thus in contradiction to the object and purpose of the Convention, in particular the object of suppressing the financing of terrorist acts wherever and by whomever they may be committed.</p> <p>The reservation is further contrary to the terms of Article 6, of the Convention, according to which States Parties comment themselves to adopt such measures as may be necessary, including, where appropriate, domestic legislation, to ensure that criminal acts within the scope of this Convention are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature.</p> <p>The Government of the Federal Republic of Germany recalls that, according to customary international law as codified in the Vienna Convention on the Law of Treaties, reservations that are incompatible with the object and purpose of a convention are not permissible.</p>		

	Date	Treaty Series and Command Nos.
<p>TERRORISM (continued)</p> <p>The Government of the Federal Republic of Germany therefore objects to the above-mentioned reservation by the Syrian Arab Republic to the International Convention for the Suppression of the Financing of Terrorism. This objection shall not preclude the entry into force of the Convention as between the Federal Republic of Germany and the Syrian Arab Republic.</p> <p>¹ Refer to depositary notification C.N.326.2005. TREATIES-6 of 04 May 2005</p> <p>Note-</p> <p>On 14 July 2005, the Secretary-General of the United Nations, as depositary, received from the government of <i>Japan</i>, a communication relating to the declaration made by Jordan upon ratification¹, as follows;</p> <p><i>[Original: English]</i></p> <p>"When depositing its instrument of ratification, the Government of the Hashemite Kingdom of Jordan made a declaration which reads as follows: "The Government of the Hashemite Kingdom of Jordan does not consider acts of national armed struggle and fighting foreign occupation in the exercise of people's right to self-determination as terrorist acts within the context of paragraph 1 (b), of article 2, of the Convention".</p> <p>In this connection, the Government of Japan draws attention to the provisions of Article 6, of the Convention, according to which each State Party shall adopt such measures as may be necessary, including, where appropriate, domestic legislation, to ensure that criminal acts within the scope of this Convention are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature.</p> <p>The Government of Japan considers that the declaration made by the Hashemite Kingdom of Jordan seeks to exclude acts of national armed struggle and fighting foreign occupation in the exercise of people's right to self-determination from the application of the Convention and that such declaration constitutes a reservation which is incompatible with the object and purpose of the Convention. The Government of Japan therefore objects to the aforementioned reservation made by the Hashemite Kingdom of Jordan."</p> <p>¹ Refer to depositary notification C.N.910.2003. TREATIES-32 of 04 September 2003</p> <p>Note-</p> <p>On 07 June 2005, the Secretary-General of the United Nations, as depositary, received from the government of the <i>Russian Federation</i>, a communication relating to the declaration made by Belgium upon ratification¹, as follows;</p> <p><i>[Original: English]</i></p>		

TERRORISM (continued)

Russia considers the Convention as an instrument designed to establish a solid and effective mechanism for cooperation between States in preventing and fighting the financing of terrorism regardless of its forms and motives. One of the basic rationales for the establishing of this mechanism is achievement of a common and impartial approach by States to the notion of an offence that consists in financing terrorists and terrorist organizations, as well as to the principles of prosecution and punishment of its perpetrators.

Russia notes that for the purposes of consistent prosecution and prevention of offences related to the financing of terrorism there is, inter alia, a clearly stipulated obligation of its States Parties under the Convention, when considering the issues of extradition based on this offence or mutual legal assistance, not to invoke any presumed connection of the committed offence with political motives.

In Russia's view, conceding to a State Party to the Convention the right to refuse extradition or mutual legal assistance on the ground that the committed offence is of political nature or connected with a political offence or inspired by political motives, impairs the rights and obligations of other States Parties to the Convention to establish their jurisdiction over the offences set forth in the Convention and prosecute perpetrators of such offences.

Moreover, defining an offence as political or connected with a political offence is not an objective criterion and introduces considerable uncertainty to the relations between the States Parties to the Convention.

Thus Russia is of the view that the reservation made by the Kingdom of Belgium can jeopardise the consistent implementation of the Convention and achievement of its key objectives, including creation of favourable conditions for concerted efforts by the international community to counter terrorism and crimes contributing to commitment of acts of terrorism.

Russia reiterates its unequivocal condemnation of all acts, methods and practices of terrorism in all its forms and manifestations as well as any kind of assistance (including financial) in commitment of such acts, and calls upon the Kingdom of Belgium to review its position expressed in the reservation.

¹ Refer to depositary notification C.N.506.2004. TREATIES-14 of 21 May 2004

UNITED NATIONS

Convention on the Safety of United Nations and Associated Personnel

New York
09 Dec., 1994

092/2000
Cm 4803

Ratification-
Samoa

.. .. .

19 Aug., 2005

Entry into Force-
Samoa

.. .. .

18 Sep., 2005

Date

*Treaty Series
and
Command Nos.*

	<i>Date</i>	<i>Treaty Series and Command Nos.</i>
<p>UNITED NATIONS (continued)</p> <p>Note-</p> <p>On 21 July 2005, the Secretary-General of the United Nations, as depositary, received from the government of <i>Greece</i>, an Objection relating to the declaration made by Turkey upon accession¹, as follows;</p> <p><i>[Original: English]</i></p> <p>"The Government of the Hellenic Republic has examined the declarations made by the Republic of Turkey upon ratification of the 1994 Convention on the Safety of United Nations and Associated Personnel.</p> <p>In the view of the Government of the Hellenic Republic, paragraph 1, of these declarations amounts to a reservation which raises concerns as to the commitment of Turkey to implement core provisions of the Convention and in particular those pertaining to the prevention and suppression of crimes against United Nations and Associated Personnel. The reservation may also lead to a discriminatory application of the Convention.</p> <p>In connection with paragraph II, of the declarations, the Government of the Hellenic Republic is of the view that it also amounts to a reservation as it raises the same concerns as above. Furthermore, it raises doubts as to whether Turkey fully undertakes the obligations incumbent upon it by virtue of Article 10, of the Convention.</p> <p>The Government of the Hellenic Republic, therefore, considers that the above reservations are incompatible with the object and purpose of the Convention.</p> <p>Regarding the reservation made by the Republic of Turkey in connection with Article 20, paragraph 1, of the Convention, the Government of the Hellenic Republic considers that, in so far as the instruments referred to in the reservation are reflective of customary international law, they are universally binding and cannot be exempted from by a reservation.</p> <p>For these reasons, the Government of the Hellenic Republic objects to the above reservations made by the Republic of Turkey to the Convention on the Safety of United Nations and Associated Personnel. This objection shall not preclude the entry into force of the Convention between the Hellenic Republic and the Republic of Turkey. The Convention, therefore, enters into force between the two States without taking into account the above mentioned reservations."</p> <p>¹ Refer to depositary notification C.N.853.2004.TREATIES-5 of 17 August 2004</p>		

ISBN 0-10-167292-6



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