

The Convention was
previously published
as Miscellaneous
No. 19 (1975),
Cmnd. 6176.

DIPLOMATIC
AND CONSULAR
RELATIONS



Treaty Series No. 3 (1980)

Convention

on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents

New York, 14 December 1973–31 December 1974

[The United Kingdom instrument of ratification was deposited on 2 May 1979
and the Convention entered into force for the United Kingdom on 1 June 1979]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
January 1980*

LONDON
HER MAJESTY'S STATIONERY OFFICE

70p net

Cmnd. 7765

**CONVENTION
ON THE PREVENTION AND PUNISHMENT OF CRIMES
AGAINST INTERNATIONALLY PROTECTED PERSONS,
INCLUDING DIPLOMATIC AGENTS**

The States Parties to this Convention,

Having in mind the purposes and principles of the Charter of the United Nations⁽¹⁾ concerning the maintenance of international peace and the promotion of friendly relations and co-operation among States,

Considering that crimes against diplomatic agents and other internationally protected persons jeopardizing the safety of these persons create a serious threat to the maintenance of normal international relations which are necessary for co-operation among States,

Believing that the commission of such crimes is a matter of grave concern to the international community,

Convinced that there is an urgent need to adopt appropriate and effective measures for the prevention and punishment of such crimes.

Have agreed as follows :

ARTICLE 1

For the purposes of this Convention :

1. "internationally protected person" means:
 - (a) a Head of State, including any member of a collegial body performing the functions of a Head of State under the constitution of the State concerned, a Head of Government or a Minister for Foreign Affairs, whenever any such person is in a foreign State, as well as members of his family who accompany him;
 - (b) any representative or official of a State or any official or other agent of an international organization of an intergovernmental character who, at the time when and in the place where a crime against him, his official premises, his private accommodation or his means of transport is committed, is entitled pursuant to international law to special protection from any attack on his person, freedom or dignity, as well as members of his family forming part of his household;
2. "alleged offender" means a person as to whom there is sufficient evidence to determine *prima facie* that he has committed or participated in one or more of the crimes set forth in article 2.

(1) Treaty Series No. 67 (1946), Cmd. 7015.

ARTICLE 2

1. The intentional commission of:

- (a) a murder, kidnapping or other attack upon the person or liberty of an internationally protected person;
- (b) a violent attack upon the official premises, the private accommodation or the means of transport of an internationally protected person likely to endanger his person or liberty;
- (c) a threat to commit any such attack;
- (d) an attempt to commit any such attack; and
- (e) an act constituting participation as an accomplice in any such attack shall be made by each State Party a crime under its internal law.

2. Each State Party shall make these crimes punishable by appropriate penalties which take into account their grave nature.

3. Paragraphs 1 and 2 of this article in no way derogate from the obligations of States Parties under international law to take all appropriate measures to prevent other attacks on the person, freedom or dignity of an internationally protected person.

ARTICLE 3

1. Each State Party shall take such measures as may be necessary to establish its jurisdiction over the crimes set forth in article 2 in the following cases:

- (a) when the crime is committed in the territory of that State or on board a ship or aircraft registered in that State;
- (b) when the alleged offender is a national of that State;
- (c) when the crime is committed against an internationally protected person as defined in article 1 who enjoys his status as such by virtue of functions which he exercises on behalf of that State.

2. Each State Party shall likewise take such measures as may be necessary to establish its jurisdiction over these crimes in cases where the *alleged offender is present in its territory and it does not extradite him* pursuant to article 8 to any of the States mentioned in paragraph 1 of this article.

3. This Convention does not exclude any criminal jurisdiction exercised in accordance with internal law.

ARTICLE 4

States Parties shall co-operate in the prevention of the crimes set forth in article 2, particularly by:

- (a) taking all practicable measures to prevent preparations in their respective territories for the commission of those crimes within or outside their territories;

- (b) exchanging information and co-ordinating the taking of administrative and other measures as appropriate to prevent the commission of those crimes.

ARTICLE 5

1. The State Party in which any of the crimes set forth in article 2 has been committed shall, if it has reason to believe that an alleged offender has fled from its territory, communicate to all other States concerned, directly or through the Secretary-General of the United Nations, all the pertinent facts regarding the crime committed and all available information regarding the identity of the alleged offender.

2. Whenever any of the crimes set forth in article 2 has been committed against an internationally protected person, any State Party which has information concerning the victim and the circumstances of the crime shall endeavour to transmit it, under the conditions provided for in its internal law, fully and promptly to the State Party on whose behalf he was exercising his functions.

ARTICLE 6

1. Upon being satisfied that the circumstances so warrant, the State Party in whose territory the alleged offender is present shall take the appropriate measures under its internal law so as to ensure his presence for the purpose of prosecution or extradition. Such measures shall be notified without delay directly or through the Secretary-General of the United Nations to:

- (a) the State where the crime was committed;
- (b) the State or States of which the alleged offender is a national or, if he is a stateless person, in whose territory he permanently resides;
- (c) the State or States of which the internationally protected person concerned is a national or on whose behalf he was exercising his functions;
- (d) all other States concerned; and
- (e) the international organization of which the internationally protected person concerned is an official or an agent.

2. Any person regarding whom the measures referred to in paragraph 1 of this article are being taken shall be entitled:

- (a) to communicate without delay with the nearest appropriate representative of the State of which he is a national or which is otherwise entitled to protect his rights or, if he is a stateless person, which he requests and which is willing to protect his rights; and
- (b) to be visited by a representative of that State.

ARTICLE 7

The State Party in whose territory the alleged offender is present shall, if it does not extradite him, submit, without exception whatsoever and

without undue delay, the case to its competent authorities for the purpose of prosecution, through proceedings in accordance with the laws of that State.

ARTICLE 8

1. To the extent that the crimes set forth in article 2 are not listed as extraditable offences in any extradition treaty existing between States Parties, they shall be deemed to be included as such therein. States Parties undertake to include those crimes as extraditable offences in every future extradition treaty to be concluded between them.

2. If a State Party which makes extradition conditional on the existence of a treaty receives a request for extradition from another State Party with which it has no extradition treaty, it may, if it decides to extradite, consider this Convention as the legal basis for extradition in respect of those crimes. Extradition shall be subject to the procedural provisions and the other conditions of the law of the requested State.

3. States Parties which do not make extradition conditional on the existence of a treaty shall recognize those crimes as extraditable offences between themselves subject to the procedural provisions and the other conditions of the law of the requested State.

4. Each of the crimes shall be treated, for the purpose of extradition between States Parties, as if it had been committed not only in the place in which it occurred but also in the territories of the States required to establish their jurisdiction in accordance with paragraph 1 of article 3.

ARTICLE 9

Any person regarding whom proceedings are being carried out in connexion with any of the crimes set forth in article 2 shall be guaranteed fair treatment at all stages of the proceedings.

ARTICLE 10

1. States Parties shall afford one another the greatest measure of assistance in connexion with criminal proceedings brought in respect of the crimes set forth in article 2, including the supply of all evidence at their disposal necessary for the proceedings.

2. The provisions of paragraph 1 of this article shall not affect obligations concerning mutual judicial assistance embodied in any other treaty.

ARTICLE 11

The State Party where an alleged offender is prosecuted shall communicate the final outcome of the proceedings to the Secretary-General of the United Nations, who shall transmit the information to the other States Parties.

ARTICLE 12

The provisions of this Convention shall not affect the application of the Treaties on Asylum, in force at the date of the adoption of this Convention, as between the States which are parties to those Treaties; but a State Party to this Convention may not invoke those Treaties with respect to another State Party to this Convention which is not a party to those Treaties.

ARTICLE 13

1. Any dispute between two or more States Parties concerning the interpretation or application of this Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration. If within six months from the date of the request for arbitration the parties are unable to agree on the organization of the arbitration, any one of those parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court.

2. Each State Party may at the time of signature or ratification of this Convention or accession thereto declare that it does not consider itself bound by paragraph 1 of this article. The other States Parties shall not be bound by paragraph 1 of this article with respect to any State Party which has made such a reservation.

3. Any State Party which has made a reservation in accordance with paragraph 2 of this article may at any time withdraw that reservation by notification to the Secretary-General of the United Nations.

ARTICLE 14

This Convention shall be open for signature by all States, until 31 December 1974 at United Nations Headquarters in New York.

ARTICLE 15

This Convention is subject to ratification. The instruments of ratification shall be deposited with the Secretary-General of the United Nations.

ARTICLE 16

This Convention shall remain open for accession by any State. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

ARTICLE 17

1. This Convention shall enter into force on the thirtieth day following the date of deposit of the twenty-second instrument of ratification or accession with the Secretary-General of the United Nations^(*).

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

2. For each State ratifying or acceding to the Convention after the deposit of the twenty-second instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after deposit by such State of its instrument of ratification or accession.

ARTICLE 18

1. Any State Party may denounce this Convention by written notification to the Secretary-General of the United Nations.

2. Denunciation shall take effect six months following the date on which notification is received by the Secretary-General of the United Nations.

ARTICLE 19

The Secretary-General of the United Nations shall inform all States, *inter alia*:

- (a) of signatures to this Convention, of the deposit of instruments of ratification or accession in accordance with articles 14, 15 and 16 and of notifications made under article 18;
- (b) of the date on which this Convention will enter into force in accordance with article 17.

ARTICLE 20

The original of this Convention, of which the Chinese, English, French, Russian and Spanish texts⁽³⁾ are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send certified copies thereof to all States.

In witness whereof the undersigned, being duly authorized thereto by their respective Governments, have signed this Convention, opened for signature at New York on 14 December 1973.

[For signatures and reservations see pages 9-15]

⁽³⁾ After the Convention has entered into force and been registered under Article 102 of the United Nations Charter, texts in the Chinese, French, Russian and Spanish languages will be published in the United Nations Treaty Series, available from Agency Section, Her Majesty's Stationery Office, P.O. Box 569, London SE1 9NY. Tel. 01-928 6977, ext. 410.

SIGNATURES AND RATIFICATIONS

<i>State</i>	<i>Date of Signature</i>	<i>Date of deposit of Instrument of Ratification</i>
Australia	30 December 1974	20 June 1977
Bulgaria	27 June 1974 ^(*)	18 July 1974 ^(*)
Byelorussian Soviet Socialist Republic	11 June 1974 ^(*)	5 Feb. 1976 ^(*)
Canada	26 June 1974	4 Aug. 1976
Czechoslovakia	11 October 1974 ^(*)	30 June 1975 ^(*)
Denmark	10 May 1974	1 July 1975 ^(*)
Ecuador	27 August 1974 ^(*)	12 March 1975
Finland	10 May 1974 ^(*)	31 Oct. 1978 ^(*)
German Democratic Republic ...	23 May 1974 ^(*)	30 Nov. 1976 ^(*)
Germany, Federal Republic of ...	15 August 1974 ^(*)	25 Jan. 1977*
Guatemala	12 December 1974	
Hungary	6 November 1974 ^(*)	26 March 1975 ^(*)
Iceland	10 May 1974	2 Aug. 1977
Italy	30 December 1974	
Mongolia	23 August 1974 ^(*)	8 Aug. 1975 ^(*)
Nicaragua	29 October 1974	10 March 1975
Norway	10 May 1974	
Paraguay	25 October 1974	24 Nov. 1975
Poland	7 June 1974	
Romania	27 December 1974 ^(*)	15 Aug. 1978 ^(*)
Rwanda	15 October 1974	29 Nov. 1977
Sweden	10 May 1974	1 July 1975
Tunisia	15 May 1974 ^(*)	21 Jan. 1977
Ukrainian Soviet Socialist Republic	18 June 1974 ^(*)	20 Jan. 1976 ^(*)
Union of Soviet Socialist Republics	7 June 1974 ^(*)	15 Jan. 1976 ^(*)
United Kingdom	13 December 1974	2 May 1979† ^(*)
United States of America ...	28 December 1973	26 Oct. 1976
Yugoslavia	17 December 1974	29 Dec. 1976

ACCESSIONS

<i>State</i>	<i>Date of deposit of Instrument of Accession</i>
Austria	3 Aug. 1977
Chile	21 Jan. 1977
Costa Rica	2 Nov. 1977
Cyprus	24 Dec. 1975
Dominican Republic	8 July 1977
Ghana	25 April 1975 ^(*)
India	11 April 1978 ^(*)
Iraq	28 Feb. 1978 ^(*)
Iran	12 July 1978
Jamaica	21 Sept. 1978 ^(*)
Liberia	30 Sept. 1975
Malawi	14 Mar. 1977 ^(*)
Pakistan	29 Mar. 1976 ^(*)
Peru	25 April 1978 ^(*)
Philippines	26 Nov. 1976
Trinidad and Tobago	15 June 1979 ^(*)
Uruguay	13 June 1978
Zaire	25 July 1977 ^(*)

(*) For texts of reservations, declarations etc. see pages 11-15.

* Includes Berlin (West).

† The United Kingdom ratified on behalf of the United Kingdom of Great Britain and Northern Ireland, the Bailiwick of Jersey, the Bailiwick of Guernsey, the Isle of Man, Belize, Bermuda, British Antarctic Territory, British Indian Ocean Territory, British Virgin Islands, Cayman Islands, Falkland Islands and Dependencies, Gibraltar, Gilbert Islands, Hong Kong, Montserrat, Pitcairn, Henderson, Ducie and Oeno Islands, St. Helena and Dependencies, Turks and Caicos Islands, and United Kingdom Sovereign Base Areas of Akrotiri and Dhekelia in the Island of Cyprus.

RESERVATIONS

BULGARIA

On signing the Convention the People's Republic of Bulgaria made the following reservation:

[Translation by the United Nations Secretariat]

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

On ratifying the Convention the Government of the People's Republic of Bulgaria confirmed the above reservation.

BYELORUSSIAN SOVIET SOCIALIST REPUBLIC

On signing the Convention the Byelorussian Soviet Socialist Republic made the following reservation:

[Translation by the United Nations Secretariat]

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

On ratifying the Convention the Government of the Byelorussian Soviet Socialist Republic confirmed the above reservation.

CZECHOSLOVAKIA

On signing the Convention the Czechoslovak Socialist Republic made the following reservation:

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

On ratifying the Convention the Government of the Czechoslovak Socialist Republic confirmed the above reservation.

DENMARK

The instrument of ratification deposited by the Government of the Kingdom of Denmark contains the following reservation:

[Translation by the United Nations Secretariat]

... until further decision, the Convention shall not apply to the Faerøe Islands or Greenland.

ECUADOR

On signing the Convention Ecuador made the following reservation:

[Translation by the United Nations Secretariat]

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

FINLAND

On signing the Convention Finland made the following reservation:

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

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

On ratifying the Convention the Government of the Republic of Finland confirmed the above reservation.

GERMAN DEMOCRATIC REPUBLIC

On signing the Convention the German Democratic Republic made the following reservation:

[Translation by the United Nations Secretariat]

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

On ratifying the Convention the Government of the German Democratic Republic confirmed the above reservation.

FEDERAL REPUBLIC OF GERMANY

On signing the Convention the Federal Republic of Germany made the following reservation:

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

GHANA

On acceding to the Convention Ghana made the following reservation:

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

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

In a notification dated 18 November 1976 the Government of the Republic of Ghana informed the Secretary-General that it had decided to withdraw the reservation concerning Article 3 (1) (c) of the Convention.

HUNGARY

On signing the Convention the Hungarian People's Republic made the following reservation:

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

On ratifying the Convention the Hungarian People's Republic confirmed the above reservation.

INDIA

The instrument of accession deposited by the Government of the Republic of India contains the following reservation:

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

IRAQ

The instrument of accession deposited by the Government of Iraq contains the following reservations:

1—The resolution of the United Nations General Assembly with which the above-mentioned Convention is enclosed shall be considered to be an integral part of the above-mentioned Convention.

2—Sub-paragraph (B) of paragraph (1) of Article 1 of the Convention shall cover the representatives of the national liberation movements recognized by the League of Arab States or the Organization of African Unity.

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

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

JAMAICA

The instrument of accession deposited by the Government of Jamaica contains the following reservation:

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

MALAWI

The instrument of accession deposited by the Government of the Republic of Malawi contains the declaration that, in accordance with the provisions of paragraph 2 of article 13, the Government of the Republic of Malawi does not consider itself bound by the provisions of paragraph 1 of article 13 of the Convention.

MONGOLIA

On signing the Convention the Mongolian People's Republic made the following reservation:

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

On ratifying the Convention the Government of the Mongolian People's Republic confirmed the above reservation.

PAKISTAN

The instrument of accession deposited by the Government of Pakistan contains the following reservation:

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

PERU

The instrument of accession deposited by the Government of Peru specifies that accession is effected with reservation as to article 13 (1) of the Convention.

ROMANIA

On signing the Convention the Socialist Republic of Romania made the following reservation:

[Translation by the United Nations Secretariat]

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

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

On ratifying the Convention the Government of the Socialist Republic of Romania confirmed the above reservation.

TRINIDAD AND TOBAGO

The instrument of accession deposited by the Government of Trinidad and Tobago contained the following reservation:

"The Republic of Trinidad and Tobago avails itself of the provision of Article 13, paragraph 2, and declares that it does not consider itself bound by the provisions of paragraph 1 of that Article under which any dispute between two or more States Parties concerning the interpretation or application of this Convention shall, at the request of one of them, be submitted to arbitration or referred to the

International Court of Justice, and states that in each individual case, the consent of all parties to such a dispute is necessary for the submission of the dispute to arbitration or to the International Court of Justice."

TUNISIA

On signing the Convention Tunisia made the following reservation:

[Translation by the United Nations Secretariat]

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

On ratifying the Convention the Government of Tunisia confirmed the above reservation.

UKRAINIAN SOVIET SOCIALIST REPUBLIC

On signing the Convention the Ukrainian Soviet Socialist Republic made the following reservation:

[Translation by the United Nations Secretariat]

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

On ratifying the Convention the Government of the Ukrainian Soviet Socialist Republic confirmed the above reservation.

UNION OF SOVIET SOCIALIST REPUBLICS

On signing the Convention the Union of Soviet Socialist Republics made the following reservation:

[Translation by the United Nations Secretariat]

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

On ratifying the Convention the Government of the Union of Soviet Socialist Republics confirmed the above reservation.

UNITED KINGDOM

In a communication accompanying their instrument of ratification the Government of the United Kingdom declared:

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

ZAIRE

The instrument of accession deposited by the Government of Zaire contains the following reservation:

[Translation by the United Nations Secretariat]

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