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ATOMIC
ENERGY



Treaty Series No. 2 (1998)

Convention
on Assistance in the case of a
Nuclear Accident or
Radiological Emergency

Open for signature at Vienna from 26 September 1986
and at the United Nations Headquarters, New York,
from 6 October 1986

[The United Kingdom instrument of ratification was deposited on 9 February 1990 and the
Convention entered into force for the United Kingdom on 12 March 1990]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
January 1998*

**CONVENTION ON ASSISTANCE IN THE CASE OF A NUCLEAR ACCIDENT OR
RADIOLOGICAL EMERGENCY**

(Adopted on 26 September 1986, during the 8th plenary meeting)

THE STATES PARTIES TO THIS CONVENTION,

AWARE that nuclear activities are being carried out in a number of States,

NOTING that comprehensive measures have been and are being taken to ensure a high level of safety in nuclear activities, aimed at preventing nuclear accidents and minimizing the consequences of any such accident, should it occur,

DESIRING to strengthen further international co-operation in the safe development and use of nuclear energy,

CONVINCED of the need for an international framework which will facilitate the prompt provision of assistance in the event of a nuclear accident or radiological emergency to mitigate its consequences,

NOTING the usefulness of bilateral and multilateral arrangements on mutual assistance in this area,

NOTING the activities of the International Atomic Energy Agency in developing guidelines for mutual emergency assistance arrangements in connection with a nuclear accident or radiological emergency,

HAVE AGREED as follows:

ARTICLE 1

General provisions

1. The States Parties shall cooperate between themselves and with the International Atomic Energy Agency (hereinafter referred to as the "Agency") in accordance with the provisions of this Convention to facilitate prompt assistance in the event of a nuclear accident or radiological emergency to minimize its consequences and to protect life, property and the environment from the effects of radioactive releases.
2. To facilitate such cooperation States Parties may agree on bilateral or multilateral arrangements or, where appropriate, a combination of these, for preventing or minimizing injury and damage which may result in the event of a nuclear accident or radiological emergency.
3. The States Parties request the Agency, acting within the framework of its Statute, to use its best endeavours in accordance with the provisions of this Convention to promote, facilitate and support the cooperation between States Parties provided for in this Convention.

ARTICLE 2

Provision of assistance

1. If a State Party needs assistance in the event of a nuclear accident or radiological emergency, whether or not such accident or emergency originates within its territory, jurisdiction or control, it may call for such assistance from any other State Party, directly or through the Agency, and from the Agency, or, where appropriate, from other international intergovernmental organizations (hereinafter referred to as "international organizations").

2. A State Party requesting assistance shall specify the scope and type of assistance required and, where practicable, provide the assisting party with such information as may be necessary for that party to determine the extent to which it is able to meet the request. In the event that it is not practicable for the requesting State Party to specify the scope and type of assistance required, the requesting State Party and the assisting party shall, in consultation, decide upon the scope and type of assistance required.
3. Each State Party to which a request for assistance is directed shall promptly decide and notify the requesting State Party, directly or through the Agency, whether it is in a position to render the assistance requested, and the scope and terms of the assistance that might be rendered.
4. States Parties shall, within the limits of their capabilities, identify and notify the Agency of experts, equipment and materials which could be made available for the provision of assistance to other States Parties in the event of a nuclear accident or radiological emergency as well as the terms, especially financial, under which such assistance could be provided.
5. Any State Party may request assistance relating to medical treatment or temporary relocation into the territory of another State Party of people involved in a nuclear accident or radiological emergency.
6. The Agency shall respond, in accordance with its Statute and as provided for in this Convention, to a requesting State Party's or a Member State's request for assistance in the event of a nuclear accident or radiological emergency by:
 - (a) making available appropriate resources allocated for this purpose;
 - (b) transmitting promptly the request to other States and international organizations which, according to the Agency's information, may possess the necessary resources; and
 - (c) if so requested by the requesting State, co-ordinating the assistance at the international level which may thus become available.

ARTICLE 3

Direction and control of assistance

Unless otherwise agreed:

- (a) the overall direction, control, co-ordination and supervision of the assistance shall be the responsibility within its territory of the requesting State. The assisting party should, where the assistance involves personnel, designate in consultation with the requesting State, the person who should be in charge of and retain immediate operational supervision over the personnel and the equipment provided by it. The designated person should exercise such supervision in co-operation with the appropriate authorities of the requesting State.
- (b) the requesting State shall provide, to the extent of its capabilities, local facilities and services for the proper and effective administration of the assistance. It shall also ensure the protection of personnel, equipment and materials brought into its territory by or on behalf of the assisting party for such purpose;
- (c) ownership of equipment and materials provided by either party during the periods of assistance shall be unaffected, and their return shall be ensured;
- (d) a State Party providing assistance in response to a request under paragraph 5 of article 2 shall co-ordinate that assistance within its territory.

ARTICLE 4

Competent authorities and points of contact

1. Each State Party shall make known to the Agency and to other States Parties, directly or through the Agency, its competent authorities and point of contact authorized to make and receive requests for and to accept offers of assistance. Such points of contact and a focal point within the Agency shall be available continuously.
2. Each State Party shall promptly inform the Agency of any changes that may occur in the information referred to in paragraph 1.
3. The Agency shall regularly and expeditiously provide to States Parties, Member States and relevant international organizations the information referred to in paragraphs 1 and 2.

ARTICLE 5

Functions of the Agency

The States Parties request the Agency, in accordance with paragraph 3 of article 1 and without prejudice to other provisions of this Convention, to:

- (a) collect and disseminate to States Parties and Member States information concerning:
 - (i) experts, equipment and materials which could be made available in the event of nuclear accidents or radiological emergencies;
 - (ii) methodologies, techniques and available results of research relating to response to nuclear accidents or radiological emergencies;
- (b) assist a State Party or a Member State when requested in any of the following or other appropriate matters:
 - (i) preparing both emergency plans in the case of nuclear accidents and radiological emergencies and the appropriate legislation;
 - (ii) developing appropriate training programmes for personnel to deal with nuclear accidents and radiological emergencies;
 - (iii) transmitting requests for assistance and relevant information in the event of a nuclear accident or radiological emergency;
 - (iv) developing appropriate radiation monitoring programmes, procedures and standards;
 - (v) conducting investigations into the feasibility of establishing appropriate radiation monitoring systems;
- (c) make available to a State Party or a Member State requesting assistance in the event of a nuclear accident or radiological emergency appropriate resources allocated for the purpose of conducting an initial assessment of the accident or emergency;
- (d) offer its good offices to the States Parties and Member States in the event of a nuclear accident or radiological emergency;
- (e) establish and maintain liaison with relevant international organizations for the purposes of obtaining and exchanging relevant information and data, and make a list of such organizations available to States Parties, Member States and the aforementioned organizations.

ARTICLE 6

Confidentiality and public statements

1. The requesting State and the assisting party shall protect the confidentiality of any confidential information that becomes available to either of them in connection with the assistance in the event of a nuclear accident or radiological emergency. Such information shall be used exclusively for the purpose of the assistance agreed upon.
2. The assisting party shall make every effort to coordinate with the requesting State before releasing information to the public on the assistance provided in connection with a nuclear accident or radiological emergency.

ARTICLE 7

Reimbursement of costs

1. An assisting party may offer assistance without costs to the requesting State. When considering whether to offer assistance on such a basis, the assisting party shall take into account:
 - (a) the nature of the nuclear accident or radiological emergency;
 - (b) the place of origin of the nuclear accident or radiological emergency;
 - (c) the needs of developing countries;
 - (d) the particular needs of countries without nuclear facilities, and
 - (e) any other relevant factors.
2. When assistance is provided wholly or partly on a reimbursement basis, the requesting State shall reimburse the assisting party for the costs incurred for the services rendered by persons or organizations acting on its behalf, and for all expenses in connection with the assistance to the extent that such expenses are not directly defrayed by the requesting State. Unless otherwise agreed, reimbursement shall be provided promptly after the assisting party has presented its request for reimbursement to the requesting State, and in respect of costs other than local costs, shall be freely transferable.
3. Notwithstanding paragraph 2, the assisting party may at any time waive, or agree to the postponement of, the reimbursement in whole or in part. In considering such waiver or postponement, assisting parties shall give due consideration to the needs of developing countries.

ARTICLE 8

Privileges, immunities and facilities

1. The requesting State shall afford to personnel of the assisting party and personnel acting on its behalf the necessary privileges, immunities and facilities for the performance of their assistance functions.
2. The requesting State shall afford the following privileges and immunities to personnel of the assisting party or personnel acting on its behalf who have been duly notified to and accepted by the requesting State:
 - (a) immunity from arrest, detention and legal process, including criminal, civil and administrative jurisdiction, of the requesting State, in respect of acts or omissions in the performance of their duties; and
 - (b) exemption from taxation, duties or other charges, except those which are normally incorporated in the price of goods or paid for services rendered, in respect of the performance of their assistance functions.

3. The requesting State shall:

- (a) afford the assisting party exemption from taxation, duties or other charges on the equipment and property brought into the territory of the requesting State by the assisting party for the purpose of the assistance; and
- (b) provide immunity from seizure, attachment or requisition of such equipment and property.

4. The requesting State shall ensure the return of such equipment and property. If requested by the assisting party, the requesting State shall arrange, to the extent it is able to do so, for the necessary decontamination of recoverable equipment involved in the assistance before its return.

5. The requesting State shall facilitate the entry into, stay in and departure from its national territory of personnel notified pursuant to paragraph 2 and of equipment and property involved in the assistance.

6. Nothing in this article shall require the requesting State to provide its nationals or permanent residents with the privileges and immunities provided for in the foregoing paragraphs.

7. Without prejudice to the privileges and immunities, all beneficiaries enjoying such privileges and immunities under this article have a duty to respect the laws and regulations of the requesting State. They shall also have the duty not to interfere in the domestic affairs of the requesting State.

8. Nothing in this article shall prejudice rights and obligations with respect to privileges and immunities afforded pursuant to other international agreements or the rules of customary international law.

9. When signing, ratifying, accepting, approving or acceding to this Convention, a State may declare that it does not consider itself bound in whole or in part by paragraphs 2 and 3.

10. A State Party which has made a declaration in accordance with paragraph 9 may at any time withdraw it by notification to the depositary.

ARTICLE 9

Transit of personnel, equipment and property

Each State Party shall, at the request of the requesting State or the assisting party, seek to facilitate the transit through its territory of duly notified personnel, equipment and property involved in the assistance to and from the requesting State.

ARTICLE 10

Claims and compensation

1. The States Parties shall closely cooperate in order to facilitate the settlement of legal proceedings and claims under this article.

2. Unless otherwise agreed, a requesting State shall in respect of death of or injury to persons, damage to or loss of property, or damage to the environment caused within its territory or other area under its jurisdiction or control in the course of providing the assistance requested:

- (a) not bring any legal proceedings against the assisting party or persons or other legal entities acting on its behalf;
- (b) assume responsibility for dealing with legal proceedings and claims brought by third parties against the assisting party or against persons or other legal entities acting on its behalf;

- (c) hold the assisting party or persons or legal entities acting on its behalf harmless in respect of legal proceedings and claims referred to in sub-paragraph (b); and
- (d) compensate the assisting party or persons or other legal entities acting on its behalf for:
 - (i) death of or injury to personnel of the assisting party or persons acting on its behalf;
 - (ii) loss of or damage to non-consumable equipment or materials related to the assistance;

except in cases of wilful misconduct by the individuals who caused the death, injury, loss or damage.

3. This article shall not prevent compensation or indemnity available under any applicable international agreement or national law of any State.

4. Nothing in this article shall require the requesting State to apply paragraph 2 in whole or in part to its nationals or permanent residents.

5. When signing, ratifying, accepting, approving or acceding to this Convention, a State may declare:

- (a) that it does not consider itself bound in whole or in part by paragraph 2;
- (b) that it will not apply paragraph 2 in whole or in part in cases of gross negligence by the individuals who caused the death, injury, or loss or damage.

6. A State Party which has made a declaration in accordance with paragraph 5 may at any time withdraw it by notification to the depositary.

ARTICLE 11

Termination of assistance

The requesting State or the assisting party may at any time, after appropriate consultations and by notification in writing, request the termination of assistance received or provided under this Convention. Once such a request has been made, the parties involved shall consult with each other to make arrangements for the proper conclusion of the assistance.

ARTICLE 12

Relationship to other international agreements

This convention shall not affect the reciprocal rights and obligations of States Parties under existing international agreements which relate to the matters covered by this Convention, or under future international agreements concluded in accordance with the object and purpose of this Convention.

ARTICLE 13

Settlement of disputes

1. In the event of a dispute between States Parties, or between a State Party and the Agency, concerning the interpretation or application of this Convention, the parties to the dispute shall consult with a view to the settlement of the dispute by negotiation or by any other peaceful means of settling disputes acceptable to them.

2. If a dispute of this character between States Parties cannot be settled within one year from the request for consultation pursuant to paragraph 1, it shall, at the request of any party to such dispute, be submitted to arbitration or referred to the International Court of Justice for decision. Where a dispute is submitted to arbitration, if, within six months from the date of the request, the parties to the dispute are unable to agree on the organization

of the arbitration, a party may request the President of the International Court of Justice or the Secretary-General of the United Nations to appoint one or more arbitrators. In cases of conflicting requests by the parties to the dispute, the request to the Secretary-General of the United Nations shall have priority.

3. When signing, ratifying, accepting, approving or acceding to this Convention, a State may declare that it does not consider itself bound by either or both of the dispute settlement procedures provided for in paragraph 2. The other States Parties shall not be bound by a dispute settlement procedure provided for in paragraph 2 with respect to a State Party for which such a declaration is in force.

4. A State Party which has made a declaration in accordance with paragraph 3 may at any time withdraw it by notification to the depositary.

ARTICLE 14

Entry into force

1. This Convention shall be open for signature by all States and Namibia, represented by the United Nations Council for Namibia, at the Headquarters of the International Atomic Energy Agency in Vienna and at the Headquarters of the United Nations in New York, from 26 September 1986 and 6 October 1986 respectively, until its entry into force or for twelve months, whichever period is longer.

2. A State and Namibia, represented by the United Nations Council for Namibia, may express its consent to be bound by this Convention either by signature, or by deposit of an instrument of ratification, acceptance or approval following signature made subject to ratification, acceptance or approval, or by deposit of an instrument of accession. The instruments of ratification, acceptance, approval or accession shall be deposited with the depositary.

3. This Convention shall enter into force thirty days after consent to be bound has been expressed by three States¹.

4. For each State expressing consent to be bound by this Convention after its entry into force, this Convention shall enter into force for that State thirty days after the date of expression of consent.

5. (a) This Convention shall be open for accession, as provided for in this article, by international organizations and regional integration organizations constituted by sovereign States, which have competence in respect of the negotiation, conclusion and application of international agreements in matters covered by this Convention.

(b) In matters within their competence such organizations shall, on their own behalf, exercise the rights and fulfil the obligations which this Convention attributes to States Parties.

(c) When depositing its instrument of accession, such an organization shall communicate to the depositary a declaration indicating the extent of its competence in respect of matters covered by this Convention.

(d) Such an organization shall not hold any vote additional to those of its Member States.

¹The Convention entered into force on 26 February 1987.

²The Convention entered into force for the United Kingdom on 12 March 1990, after deposit of our instrument of ratification on 9 February 1990.

ARTICLE 15

Provisional application

A State may, upon signature or at any later date before this Convention enters into force for it, declare that it will apply this Convention provisionally.

ARTICLE 16

Amendments

1. A State may propose amendments to this Convention. The proposed amendment shall be submitted to the depositary who shall circulate it immediately to all other States Parties.
2. If a majority of the States Parties request the depositary to convene a conference to consider the proposed amendments, the depositary shall invite all States Parties to attend such a conference to begin not sooner than thirty days after the invitations are issued. Any amendment adopted at the conference by a two-thirds majority of all States Parties shall be laid down in a protocol which is open to signature in Vienna and New York by all States Parties.
3. The protocol shall enter into force thirty days after consent to be bound has been expressed by three States. For each State expressing consent to be bound by the protocol after its entry into force, the protocol shall enter into force for that State thirty days after the date of expression of consent.

ARTICLE 17

Denunciation

1. A State Party may denounce this Convention by written notification to the depositary.
2. Denunciation shall take effect one year following the date on which the notification is received by the depositary.

ARTICLE 18

Depositary

1. The Director-General of the Agency shall be the depositary of this Convention.
2. The Director-General of the Agency shall promptly notify States Parties and all other States of:
 - (a) each signature of this Convention or any protocol of amendment;
 - (b) each deposit of an instrument of ratification, acceptance, approval or accession concerning this Convention or any protocol of amendment;
 - (c) any declaration or withdrawal thereof in accordance with articles 8, 10 and 13;
 - (d) any declaration of provisional application of this Convention in accordance with article 15;
 - (e) the entry into force of this Convention and of any amendment thereto; and
 - (f) any denunciation made under article 17.

Authentic texts and certified copies

The original of this Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Director-General of the International Atomic Energy Agency who shall send certified copies to States Parties and all other States.

IN WITNESS WHEREOF the undersigned, being duly authorized, have signed this Convention, open for signature as provided for in paragraph 1 of article 14.

ADOPTED by the General Conference of the International Atomic Energy Agency meeting in special session at Vienna on the twenty-sixth day of September one thousand nine hundred and eighty-six.

SIGNATURES AND RATIFICATIONS

<i>State/Organization</i>	<i>Date of signature</i>	<i>Date of deposit of instrument of Ratification, Acceptance (A) or Approval (App)</i>
Afghanistan* ...	26 Sep 1986	
Algeria* ...	24 Sep 1987	
Australia*	26 Sep 1986	22 Sep 1987
Austria* ...	26 Sep 1986	21 Nov 1989
Belgium ...	•• 26 Sep 1986	
Brazil ...	•• 26 Sep 1986	4 Dec 1990
Bulgaria* ...	•• 26 Sep 1986	24 Feb 1988
Byelorussian Soviet Socialist Republic* ...	••• 26 Sep 1986	26 Jan 1987
Cameroon	•• 25 Sep 1987	
Canada* ...	... 26 Sep 1986	
Chile... ..	26 Sep 1986	
China* ...	26 Sep 1986	10 Sep 1987
Costa Rica	••• 26 Sep 1986	16 Sep 1991
Cote d'Ivoire	•• 26 Sep 1986	
Cuba* ... ..	... 26 Sep 1986	8 Jan 1991
Czechoslovakia* ...	•• 26 Sep 1986	4 Aug 1988
Denmark...	••• 26 Sep 1986	
Egypt* ...	26 Sep 1986	17 Oct 1988
Finland* ...	26 Sep 1986	27 Nov 1990 (App)
France*	26 Sep 1986	6 Mar 1989 (App)
Germany, Democratic Republic*	26 Sep 1986	29 Apr 1987
Germany, Federal Republic of*	26 Sep 1986	14 Sep 1989
Greece* ...	... 26 Sep 1986	6 Jun 1991
Guatemala	•• 26 Sep 1986	8 Aug 1988
Holy See ...	•• 26 Sep 1986	
Hungary*	... 26 Sep 1986	10 Mar 1987
Iceland ...	•• 26 Sep 1986	
India* ...	•• 29 Sep 1986	28 Jan 1988
Indonesia*	•• 26 Sep 1986	12 Nov 1993
Iran, Islamic Republic of	•• 26 Sep 1986	
Iraq*	... 12 Aug 1987	21 Jul 1988
Ireland, Republic of*	26 Sep 1986	13 Sep 1991
Israel*	26 Sep 1986	25 May 1989
Italy*	•• 26 Sep 1986	25 Oct 1990
Japan*	•• 6 Mar 1987	9 Jun 1987 (A)
Jordan	••• 2 Oct 1986	11 Dec 1987
Korea, People's Democratic Republic of*	•• 29 Sep 1986	
Lebanon... ..	••• 26 Sep 1986	
Liechtenstein... ..	..• 26 Sep 1986	

<i>State/Organization</i>	<i>Date of signature</i>	<i>Date of deposit of instrument of Ratification, Acceptance (A) or Approval (App)</i>
Malaysia*	... 1 Sep 1987	1 Sep 1987
Mali... ..	... 2 Oct 1986	
Mexico ... ..	... 26 Sep 1986	10 May 1988
Monaco*... ..	... 26 Sep 1986	19 Jul 1989 (App)
Mongolia* .....	... 8 Jan 1987	11 Jun 1987
Morocco ... ..	... 26 Sep 1986	7 Oct 1993
Netherlands*	... 26 Sep 1986	23 Sep 1991 (A)
Niger ... ..	... 26 Sep 1986	
Nigeria ... ..	... 21 Jan 1987	10 Aug 1990
Norway* ... ..	... 26 Sep 1986	26 Sep 1986
Panama ... ..	... 26 Sep 1986	
Paraguay... ..	... 2 Oct 1986	
Poland* ... ..	... 26 Sep 1986	24 Mar 1988
Portugal... ..	... 26 Sep 1986	
Russian Federation*t	... 26 Sep 1986	23 Dec 1986
Senegal... ..	... 15 Jun 1987	
Sierra Leone ... ..	... 25 Mar 1987	
South Africa*... ..	... 10 Aug 1987	10 Aug 1987
Spain* ... ..	... 26 Sep 1986	13 Sep 1989
Sudan ... ..	... 26 Sep 1986	
Sweden* ... ..	... 26 Sep 1986	24 Jun 1992
Switzerland ... ..	... 26 Sep 1986	31 May 1988
Syrian Arab Republic ... ..	... 2 Jul 1987	
Thailand* ... ..	... 25 Sep 1987	21 Mar 1989
Tunisia ... ..	... 24 Feb 1987	24 Feb 1989
Turkey* ... ..	... 26 Sep 1986	3 Jan 1991
Ukraine* ... ..	... 26 Sep 1986	26 Jan 1987
United Kingdom*... ..	... 26 Sep 1986	9 Feb 1990
United States of America* ... ..	... 26 Sep 1986	19 Sep 1988
	... 30 Sep 1986	
Zimbabwe ... ..	... 26 Sep 1986	

ACCESSIONS

<i>State</i>	<i>Date of deposit of Instrument</i>
Argentina* ... ..	... 17 Jan 1990
Bangladesh ... ..	... 7 Jan 1988
Cyprus... ..	... 4 Jan 1989
Korea, Republic of* ... ..	... 8 Jun 1990
Libyan Arab Jamahiriya ... ..	... 27 Jun 1990
Mauritius* ... ..	... 17 Aug 1992
New Zealand* ... ..	... 11 Mar 1987
Nicaragua* ... ..	... 11 Nov 1993
Pakistan* ... ..	... 11 Sep 1989
Romania* ... ..	... 12 Jun 1990
Saudi Arabia* ... ..	... 3 Nov 1989
sri Lanka ... ..	... 11 Jan 1991
United Arab Emirates* ... ..	... 2 Oct 1987
Uruguay... ..	... 21 Dec 1989
Vietnam, Socialist Republic of* ... ..	... 29 Sep 1987
Yugoslavia* ... ..	... 9 Apr 1991
Food and Agriculture Organization* ... ..	... 19 Oct 1990
World Health Organization* ... ..	... 10 Aug 1988
World Meteorological Organization* ... ..	... 17 Apr 1990

SUCCESSION

<i>State</i>		<i>Date notified</i>
Czech Republic ...	... ..	... 24 Mar 1993
Slovenia* ... ..	... ..	... 7 Jul 1992

* Declaration, reservation or objection.

t On 26 December 1991, the Director General received a Note from the Minister of Foreign Affairs of the Russian Federation informing him, *inter alia*, that the membership of the Union of Soviet Socialist Republics "in all conventions, agreements and other international legal instruments, which were concluded within its framework or under its aegis is continued by the Russian Federation and in this connection in the IAEA the name 'The Russian Federation' should be used in the place of the name 'The Union of Soviet Socialist Republics'."

DECLARATION AND RESERVATIONS

Afghanistan

On signing the Convention the Government of the Democratic Republic of Afghanistan made the following statement:

[Original: English]

"... the Government of the Democratic Republic of Afghanistan reserves its right to make whatever declaration it deems appropriate at the time of deposit of its instrument of ratification."

Algeria

On signing the Convention the Government of the People's Democratic Republic of Algeria made the following statements:

[Original: French]

Article 8. Privileges, immunities and facilities

In accordance with paragraph 9 of Article 8, the People's Democratic Republic of Algeria does not consider itself bound by the provisions of paragraphs 2 and 3 of that Article.

Reservations on paragraph 8.

The People's Democratic Republic of Algeria does not consider itself bound by the rules of customary international law.

Article 10. Claims and compensation.

The People's Democratic Republic of Algeria states that national law will apply with regard to legal proceedings and compensation.

Article 13. Settlement of disputes.

The People's Democratic Republic of Algeria does not consider itself bound by either of the dispute settlement procedures set out in paragraph 2. The People's Democratic Republic of Algeria declares that the submission of any dispute to arbitration or its referral to the International Court of Justice requires the agreement of all parties to the dispute.

Article 14. Entry into force.

Algeria's signature will be accompanied by the words "subject to ratification".

Article 15. Provisional application.

The People's Democratic Republic of Algeria declares that it will apply the Convention provisionally in accordance with Article 15.

Argentina

On depositing its instrument of accession the Government of the Argentine Republic made the following statement:

[Original: Spanish]

In accordance with article 8, paragraph 9, the Argentine Republic does not consider itself bound by any of the provisions concerning privileges and immunities under article 8, paragraphs 2 and 3 of the Convention;

In accordance with article 10, paragraph 5, the Argentine Republic does not consider itself bound by any of the provisions concerning claims and compensation under article 10, paragraph 2;

In accordance with article 13, paragraph 13, the Argentine Republic does not consider itself bound by any of the dispute settlement procedures provided for in article 13, paragraph 2 of the Convention.

Australia

On signing the Convention the Government of Australia made the following statement:

[Original: English]

"Australia will make any declarations as provided for by the Convention only upon ratification."

"Attention is also drawn to the statement by the Leader of the Australian delegation to the first Special Session of the General Conference, in particular the sections of the statement which refer to the relationship between the conventions and customary international law."

On ratifying the Convention the Government made the following declaration:

"Declaring, as permitted under Article 8.9 of the Convention, that Australia will not be bound by Articles 8.2 and 8.3."

Austria

The following reservation was attached to the instrument of ratification deposited by the Government of Austria:

"I have the honour to inform you in conformity with article 10, paragraph 5(b) of the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency that Austria will not apply paragraph 2 of the aforementioned article in cases of gross negligence by the individuals who cause death, injury, loss or damage."

Bulgaria

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

[Original: Russian]

From the time of signature and until the conventions come into force for the People's Republic of Bulgaria, the latter will apply both conventions provisionally.

The People's Republic of Bulgaria does not consider itself bound by the dispute settlement procedures provided for in article 11, paragraph 2 of the Convention on Early Notification of a Nuclear Accident and in article 13, paragraph 2 of the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency.

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

[Original in English and Bulgarian; supplied by the Government]

"The People's Republic of Bulgaria does not consider itself bound by the provisions of article 13, paragraph 2, which provide the possibility for submission of the disputes to arbitration or to the International Court of Justice at the request of any party to such dispute and declares that for the submission of any international dispute to arbitration or to the International Court of Justice, the consent of all parties concerned in each individual case is necessary."

Belarus
(Formerly The Byelorussian SSR)

On signing the Convention the Government of the Byelorussian Soviet Socialist Republic made the following statement:

[Original: Russian]

The Byelorussian SSR also declares that it accepts provisionally the obligations under the conventions in question from the time of their signature and until their ratification. The Byelorussian SSR will not consider itself bound by the provisions of article 11, paragraph 2 of the Convention on Early Notification of a Nuclear Accident and article 13, paragraph 2 of the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, which envisage the possibility of submitting a dispute between States Parties to arbitration or referring it to the International Court of Justice at the request of any party, and states that for submission of any international dispute to arbitration or referral to the International Court of Justice the agreement of all parties in each individual case is necessary.

On ratifying the Convention the Government of the Republic of Belarus made the following reservation:

[Original in Russian; translation by the Secretariat]

"The Byelorussian SSR will not consider itself bound by the provisions of Article 11, paragraph 2 of the Convention on Early Notification of a Nuclear Accident and Article 13, paragraph 2 of the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, which envisage the possibility of submitting a dispute between States Parties to arbitration or referring it to the International Court of Justice at the request of any party and states that, for submission of any international dispute to arbitration or referral to the International Court of Justice, the agreement of all parties concerned in each individual case is necessary."

Canada

On signing the Convention the Government of Canada made the following statement:

[Original: English]

¹⁴ . . . the Government of Canada reserves its right to make whatever declarations it deems appropriate at the time of deposit of its instrument of ratification."

People's Republic of China

On signing the Convention the Government of the People's Republic of China made the following statement:

[Original: English]

"The Government of the People's Republic of China has decided to sign the Convention on Assistance in the case of a Nuclear Accident or Radiological Emergency and hereby states the following:

1. In cases of gross negligence by the individuals who caused the death, injury, loss or damage, article 10, paragraph 2, of the Convention shall not apply to China.
2. China does not consider itself bound by either of the dispute settlement procedures provided for in article 13, paragraph 2, of the Convention.
3. In view of the urgency of the question of nuclear safety, China accepts article 15, the provisionally applicable clause of the Convention before the Convention's entry into force for China."

On ratifying the Convention the Government of the People's Republic of China made the following declaration:

[Original in Chinese and English: supplied by the Government]

"China shall not apply paragraph 2, Article 10 of the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency in cases of gross negligence by the individuals who caused the death, injury, loss or damage.

China shall not be bound by the two dispute settlement procedures provided for in paragraph 2, Article 13."

Cuba

On signing the Convention the Government of the Republic of Cuba made the following statement:

[Original: Spanish]

With regard to the settlement of disputes as described in article 13 of the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, the Government of Cuba does not consider itself bound by the procedure for referring disputes to the International Court of Justice nor by the decision which the International Court of Justice takes in application of this Convention and which affects Cuba.

Czechoslovakia

On signing the Convention the Government of the Czechoslovak Socialist Republic made the following statement:

[Original: English]

"The Czechoslovak Socialist Republic does not consider itself bound by the procedures of settling disputes provided for in article 11, item 2, of the Convention on Early Notification of a Nuclear Accident and in article 13, item 2, of the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency."

The reservation was withdrawn on 6 June 1991.

Egypt

On ratifying the Convention the Government of the Arab Republic of Egypt made the following statements:

[Original: Arabic]

1. The Arab Republic of Egypt considers that Article 5 of the Convention relating to the "Functions of the Agency" shall be read and applied in the light of, and in accordance with, Article 2.6;
2. The Arab Republic of Egypt interprets Article 7 to mean that the needs of developing countries shall be taken specially into account during consideration of requests for assistance in the event of nuclear accidents;
3. The Arab Republic of Egypt considers that the obligations relating to privileges and immunities referred to in Article 8 shall be applied in accordance with Egyptian law;
4. The Arab Republic of Egypt declares that it does not consider itself bound by any of the dispute settlement procedures provided for in Article 13, paragraph 2.

Finland

On its approval of the Conventions the Government of Finland made the following statement:

[Original: English]

"Finland will not apply paragraph 2 of Article 10 in cases of gross negligence by the individuals who caused the death, injury, loss or damage."

France

On signing and on its approval of the Convention the Government of the French Republic made the following statements:

[Original: French]

Article 8. Privileges, immunities and facilities

The Government of the French Republic declares, in accordance with paragraph 9 of article 8, that France does not consider itself bound by the provisions of paragraphs 2 and 3 of that article.

Article 10. Claims and compensation

The Government of the French Republic declares, in accordance with paragraph 5 of article 10, that France does not consider itself bound by paragraph 2 of that article.

Article 13. Settlement of disputes.

The Government of the French Republic declares, in accordance with paragraph 3 of article 13, that France does not consider itself bound by the provisions of paragraph 2 of that article.

Federal Republic of Germany

On signing the Convention the Government of the Federal Republic of Germany made the following statement:

[Original: English]

". . . with reference to article 15 of the aforementioned Convention, that the Federal Republic of Germany will as of today, in accordance with the law applicable in the Federal Republic of Germany, apply the Convention provisionally."

On ratifying the Convention the Government made the following declaration:

[Original: English]

"... the said Convention shall also apply to Land Berlin with effect from the date on which it has entered into force for the Federal Republic of Germany."

Greece

On signing the Convention the Government of the Hellenic Republic made the following statement:

[Original: English]

The Convention on Early Notification of a Nuclear Accident

The Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency

"According to their respective articles 13 and 15, the above two conventions will be provisionally applied in Greece within the framework of the existing internal legislation."

Hungary

On signing and ratifying the Convention the Government of the Hungarian People's Republic made the following reservation:

[Original: English]

"The Hungarian People's Republic does not consider itself bound by the dispute settlement procedures provided for in article 13, paragraph 2, of the Convention, since in its opinion, the jurisdiction of any arbitral tribunal or of the International Court of Justice can be founded only on the voluntary prior acceptance of such jurisdiction by all the Parties concerned."

The reservation was withdrawn on 13 November 1989.

India

On signing the Convention the Government of the Republic of India made the following statement:

[Original: English]

"While signing the two conventions that were approved by the special session last week, I would like to express the disappointment of my Government that the Convention on Early Notification of a Nuclear Accident does not cover all kinds of accidents. It should have been a full scope convention covering accidents from whatever source—civil or military, including accidents emanating from nuclear weapons or nuclear weapons tests, since the transboundary effects of radiological safety significance from any source would be equally damaging. Nevertheless, we have decided to sign both conventions, subject to ratification, in view of the solemn assurance that has been given by the five nuclear weapons states to the effect that they undertake to notify all accidents. This is in keeping with our policy of according to public declarations of state policy equal validity with other international commitments.

While ratifying these conventions, it is our intention to indicate our reservations with respect to certain articles of the two conventions, as already provided for in them."

On ratifying the Convention the Government made the following declarations:

[Original: English]

"1. The Government of India hereby declares that it does not consider itself bound by paragraphs 2 and 3 of Article 8 of the Convention.

2. The Government of India hereby declares that it does not consider itself bound by paragraph 2 of Article 10 of the Convention.

3. The Government of India hereby declares that it does not consider itself bound by the dispute settlement procedures provided for in paragraph 2 of Article 13 of the Convention."

Indonesia

On signing the Convention the Government of the Republic of Indonesia made the following statement:

[Original: English]

"The Permanent Mission has further the honour to inform the Secretariat that the Government of Indonesia wishes to make the following reservations:

- (i) article 13 on Settlement of Disputes of the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency; and
- (ii) article 11 on Settlement of Disputes of the Convention on Early Notification of a Nuclear Accident."

The following reservation was attached to the instrument of ratification deposited by the Government of the Republic of Indonesia:

"The Government of the Republic of Indonesia does not consider itself bound by the provision of Article 13 of this Convention and takes the position that any dispute relating to the interpretation or application of this Convention may only be submitted to arbitration or to the International Court of Justice with the agreement of all parties of the dispute."

Iraq

On signing the Convention the Government of the Republic of Iraq made the following reservations:

[Original: Arabic]

"1. In accordance with the right under Article 10.5(a) and (b) of States signing the Convention we make a reservation with regard to Article 8 concerning immunity from legal proceedings, namely that cases of gross negligence shall be excluded from total immunity so that the assisting party shall not be exempted from responsibility;

2. We make a reservation on Article 13.2 with regard to the obligation to accept arbitrators to be appointed by the President of the International Court of Justice or the Secretary-General of the United Nations."

On ratifying the Convention the Government made the following statements.

[Original: Arabic]

1. Article 8 concerning immunity from legal proceedings: availing ourselves of the powers granted to the States signing the Convention under Article 10, paragraphs 5(a) and (b), we consider that cases of gross negligence should be excluded from absolute immunity so that the assisting party will not be exempt from responsibility.

2. Iraq does not consider itself bound by Article 13, paragraph 2 concerning the obligation to accept arbitrators appointed by the President of the International Court of Justice or the Secretary-General of the United Nations.

3. This ratification does not in any way imply recognition of Israel or entering into any relationship with it.

Republic of Ireland

On signing the Convention the Government of the Republic of Ireland made the following statement:

[Original: English]

"Ireland hereby declares that in accordance with article 8, paragraph 9 of the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, it does not consider itself bound by the provisions of paragraphs 2 and 3 of article 8, thereof."

"Ireland hereby declares that in accordance with article 10, paragraph 5 of the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, it does not consider itself bound by the provisions of paragraph 2 of article 10, thereof."

Israel

The following reservation was attached to the instrument of ratification deposited by the Government of the State of Israel.

[Original: English]

"The Government of the State of Israel declares, that Israel does not consider itself bound by the provisions of:

paragraph 2(a) of Article 8

paragraph 2 of Article 10

paragraph 2 of Article 13.

Italy

On ratifying the Convention the Government of the Italian Republic made the following reservation:

[Original: French]

"In accordance with Article 8.9, the Government of the Italian Republic expresses the following reservation.

"Italy understands the term 'duties' in Article 8.2(b) to refer only to customs duties. Moreover, it specifies that exemption from taxation duties or other charges cannot apply to value-added tax (VAT) and that in no case can said exemptions apply to Italian nationals or persons resident in Italy on a permanent basis."

"Pursuant to Article 10.5(b), the Government of the Italian Republic declares that it does not consider itself bound by paragraph 2 in cases of gross negligence by the individuals who caused the death, injury, loss or damage."

"Lastly, the Government of the Italian Republic makes the following interpretative declaration:

- (a) The general provision contained in Article 8.1 shall concern only those privileges, immunities and exemptions specified in the following paragraphs, to the exclusion of all else;
- (b) The immunity referred to in Article 8.2(a) shall be understood to be affordable in respect of acts or omissions committed in the performance of and in connection with the duties discharged."

Japan

On its acceptance of the Convention the Government of Japan made the following declaration:

[Original: English]

"The Government of Japan declares that it does not consider itself bound by paragraph 2(b) of Article 8 with respect to the income tax, local inhabitant taxes and the enterprise tax as well as any identical or substantially similar taxes on personnel acting on behalf of an assisting party and that it will afford to the said personnel exemption from these taxes to the extent provided for in a convention for the avoidance of double taxation between Japan and the State of which the personnel is a resident."

Democratic People's Republic of Korea

On signing the Convention the Government of the Democratic People's Republic of Korea made the following statement:

[Original: English]

"1. The Democratic People's Republic of Korea does not consider itself bound by either of the dispute settlement procedures for in article 11, paragraph 2 of the Convention on Early Notification of a Nuclear Accident and in article 13, paragraph 2 of the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency.

2. In view of the urgency of the question of nuclear safety the Democratic People's Republic of Korea will apply both conventions provisionally.

Republic of Korea

On its accession to the Convention the Government of the Republic of Korea made the following declaration:

[Original in English and Korean; supplied by the Government]

The Government of the Republic of Korea declares pursuant to paragraph 9 of Article 8 of the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency that it does not consider itself bound by paragraphs 2 and 3 of that Article. And the Government of the Republic of Korea declares pursuant to paragraph 5 of Article 10 of the said Convention that it does not consider itself bound by paragraph 2 of that Article."

Malaysia

On signing and ratifying the Convention the Government of Malaysia made the following declaration:

[Original: English]

"The Government of Malaysia declares, in accordance with paragraph 3 of Article 13, that Malaysia does not consider itself bound by the dispute settlement procedures provided for in paragraph 2 of that Article".

Mauritius

The Government of the Republic of Mauritius on Accession made the following declaration:

[Original: English]

"In accordance with Article 13 paragraph 3 of the Convention Mauritius declares that it does not consider itself bound by any of the dispute settlement procedures set out in paragraph 2 of Article 13."

Monaco

On its approval of the Convention the Government of the Principality of Monaco made the following statements:

[Original: French]

"The Principality of Monaco declares that:

- (1) In conformity with paragraph 9 of Article 8, it does not consider itself bound by the provisions of paragraphs 2 and 3 of that Article;
- (2) In conformity with paragraph 5 of Article 10, it does not consider itself bound by the provisions of paragraph 2 of that Article;
- (3) In conformity with paragraph 3 of Article 13, it does not consider itself bound by the provisions of paragraph 2 of that Article."

Mongolia

On signing the Convention the Government of the Mongolian People's Republic made the following statement:

[Original: English]

"The Mongolian People's Republic states that it does not consider itself bound by the provisions of paragraph 2 of article 11 of the Convention on Early Notification of a Nuclear Accident and the provisions of paragraph 2 of article 13 of the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency concerning the procedure of the settlement of disputes arising from the interpretation or application of the Conventions. In its opinion, for submission of any dispute of such nature to arbitration or the International Court of Justice, the consent of all the parties to the dispute is necessary."

On ratifying the Convention the Government of the Mongolian People's Republic made the following reservation:

[Original in Mongolian and English; supplied by the Government]

"The Mongolian People's Republic states that it does not consider itself bound by the provisions of Article 13, paragraph 2 of the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, concerning the procedure of the settlement of disputes arising from the interpretation or application of the Convention. In its opinion, for submission of any dispute of such nature to arbitration or the International Court of Justice the consent of all the parties to the dispute is necessary."

The reservation was withdrawn on 18 June 1990.

Netherlands

On signing the Convention the Government of the Kingdom of the Netherlands made the following statement:

[Original: English]

"... declares today on the occasion of the signing of the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, and in accordance with article 15 of that Convention, that his Government, anticipating the entry into force of the Convention for the Kingdom of the Netherlands, will apply its provisions provisionally. This provisional application will come into effect thirty days from today, or, in case the Convention will not be in force for at least one other State at that time, on the date on which the Convention will have become applicable to one other State either by means of entry into force or by means of a declaration of provisional application. The provisions of article 10, second paragraph, are being excluded from this provisional application."

New Zealand

On its accession to the Convention the Government of New Zealand made the following declaration:

[Original: English]

"In accordance with Article 8(9) of the Convention I declare on behalf of the Government of New Zealand that New Zealand does not consider itself bound by the provisions of Article 8(2)(a) and Article 8(3)(b) of the Convention."

Nicaragua

The following reservation was attached to the instrument of accession deposited by the Government of the Republic of Nicaragua:

"...in accordance with paragraph 9 of Article 8 of the Convention, Nicaragua does not consider itself bound by any of the provisions relating to privileges and immunities contained in paragraphs 2 and 3 of that Article. Likewise, in accordance with paragraph 5 of Article 10, it does not consider itself bound by any of the provisions relating to claims and compensation contained in paragraph 2 of that Article. Furthermore, the Government of Nicaragua, in accordance with paragraph 2 of Article 13, does not consider itself bound by any of the dispute settlement procedures provided for in paragraph 2 of that Article."

Norway

On signing the Convention the Government of the Kingdom of Norway made the following statement:

[Original: English]

"In conformity with article 8 paragraph 9 of the Convention, Norway does not consider herself bound by article 8 paragraph 2(a) as far as immunity from civil proceedings are concerned and by article 8 paragraph 2(b) as far as exemption from taxation, duties or other charges for personnel of the assisting party is concerned."

Pakistan

The following reservations were attached to the instrument of accession deposited by the Government of the Islamic Republic of Pakistan:

[Original: English]

"The Government of Islamic Republic of Pakistan declares that it does not consider itself bound by paragraphs 2 and 3 of Article 8."

"The Islamic Republic of Pakistan does not consider itself bound by the provisions of Article 10, paragraph 2, with respect to cases of gross negligence by the individuals who caused the death, injury, loss or damage."

"The Islamic Republic of Pakistan does not consider itself bound by the provisions of Article 13, paragraph 2, which provides the possibility for submission of disputes to arbitration or to the International Court of Justice at the request of any party to such dispute and declares that for the submission of any international dispute to arbitration or to the International Court of Justice, the consent of all parties concerned in each individual case is necessary."

Poland

On signing the Convention the Government of the Polish People's Republic made the following statement:

[Original: English]

"The Government of the Polish People's Republic declares, that it will provisionally apply the Convention on Assistance in the Case of a Nuclear Accident or Radiological

Emergency adopted in Vienna on 26 September 1986 with the exception of article 13, paragraph 2, over the period between its entry into force and ratification."

On ratifying the Convention the Government of the Polish People's Republic made the following declaration:

[Original in English and Polish; supplied by the Government]

"... the Polish People's Republic does not consider itself bound by the provisions of paragraph 2 of article 13 of the convention."

Romania

On its accession to the convention the Government of Socialist Republic of Romania made the following statement:

"Romania does not consider itself bound by the provisions of Article 11, paragraph 2 of the Convention on Early Notification of a Nuclear Accident and Article 13, paragraph 2 of the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency and declares that the submission of any international dispute on the interpretation or the application of those Conventions to arbitration or its referral to the International Court of Justice requires the agreement of all the parties to the dispute."

[Original in Romanian and French: translation by the Secretariat]

Russian Federation

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

[Original: Russian]

From the time of signature and until the conventions come into force for the USSR, the latter will apply both conventions provisionally.

The USSR will not consider itself bound by the provisions of article 11, paragraph 2 of the Convention on Early Notification of a Nuclear Accident and article 13, paragraph 2 of the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, which envisages the possibility of submitting a dispute between States Parties to arbitration or referring it to the International Court of Justice at the request of any party, and states that for the submission of any international dispute to arbitration or referral to the International Court of Justice the agreement of all parties in each individual case is necessary.

On 26 December 1991 the Russian Federation declared:

"in all conventions, agreements and other international legal instruments, which were concluded within its [the Agency's] framework or under its aegis is continued by the Russian Federation and in this connection in the IAEA the name 'The Russian Federation' should be used in the place of the name 'The Union of Soviet Socialist Republics'."

Saudi Arabia

The following reservations were attached to the instrument of accession deposited by the Government of the Kingdom of Saudi Arabia:

[Original: Arabic]

(1) The Government of the Kingdom of Saudi Arabia will not be bound in whole or in part by paragraphs 2 and 3 of Article 8 relating to the grant of privileges, immunities and facilities to the assisting parties.

(2) The Government of the Kingdom of Saudi Arabia does not consider itself bound in whole or in part by paragraph 2 of Article 10 relating to claims and compensation. The Government of the Kingdom of Saudi Arabia will apply local law in deciding on the relevant procedures.

(3) In accordance with paragraph 3 of Article 13, the Government of the Kingdom of Saudi Arabia declares that it does not consider itself bound by any of the dispute settlement procedures provided for in paragraph 2 of that article.

(4) With regard to article 9, relating to the transit of personnel, equipment and property to and from the requesting State, the Government of the Kingdom of Saudi Arabia will not be bound to facilitate the transit through its territory of personnel, equipment and property unless there exist diplomatic relations between the Kingdom and the States Parties concerned during the provision of assistance.

Accession to these two Conventions does not in any way imply recognition of Israel and shall not lead to any involvement with Israel on matters governed by these Conventions.

Slovenia

On succession the Government of the Republic of Slovenia made the following declaration:

"the Republic of Slovenia in principle acknowledges the continuity of treaty rights and obligations under the international treaties concluded by the former SFR Yugoslavia before 25 June 1991" and based on that position and the resolution of the Parliament of Slovenia of 1 July 1992, "of the intention of the Republic of Slovenia to be considered, in respect of the territory of the Republic of Slovenia, a party, by virtue of succession to the SFR Yugoslavia," to the relevant treaties, including the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency.

South Africa

On ratifying the Convention the Government of the Republic of South Africa made the following statements:

[Original: English]

"(a) the Government of the Republic of South Africa does not consider itself bound by either of the dispute settlements provided for in Article 13, paragraph 2, of the Convention.

(b) the signature of this Convention by the Republic of South Africa in no way implies recognition by South Africa of the United Nations Council for Namibia or its competence to act on behalf of South West Africa/Namibia."

Spain

On ratifying the Convention the Government of the Kingdom of Spain made the following reservation:

[Original: English]

"The Kingdom of Spain declares that it does not consider itself bound by the provisions in paragraphs 2 and 3 of article 8, in paragraph 2 of article 10, and in paragraph 2 of article 13 of the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency."

Sweden

On ratifying the Government of the Kingdom of Sweden made the following Declaration:

[Original: English]

"Under Article 10 item (5b): Sweden reserves the right, notwithstanding what is stated in Article 8 concerning immunities and privileges, to retroactively reclaim reimbursement paid from a tortfeasor, acting on behalf of the assisting party, who has caused damage by intent or gross negligence. Sweden will furthermore apply Swedish rules concerning apportionment on grounds of contributory negligence."

"Under Article 8 item 9: Sweden declares that the rules on immunities and privileges in the Convention shall not apply to participants in rescue operations who are Swedish citizens or are resident in Sweden."

Thailand

On signing the Convention the Government of the Kingdom of Thailand made the following declarations:

[Original: English]

"In accordance with paragraph 9 of Article 8 and paragraph 5 of Article 10 of the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, Thailand does not consider itself bound by the provisions stipulated in paragraphs 2 and 3 of Article 8 and paragraph 2 of Article 10, and also declares that, in accordance with paragraph 3 of Article 13 of the Convention, it does not consider itself bound by the dispute settlement procedures provided for in paragraph 2 of that Article."

On ratifying the Convention the Government made the following statement:

[Original: English]

"Thailand does not consider itself bound by the provisions concerning:

- (i) the privileges, immunities stipulated in paragraphs 2 and 3 of Article 8;
- (ii) the claims and compensation prescribed in paragraph 2 of Article 10, and
- (iii) both of the dispute settlement procedures provided for in paragraph 2 of Article 13."

Turkey

On signing the Convention the Government of the Republic of Turkey made the following statement:

[Original: English]

"... declarations or reservations will be made, if any, on article 11 of the Convention on Early Notification of a Nuclear Accident and on articles 8, 9 and 13 of the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, during the course of the submission of the instrument of ratification to the depository."

On ratifying the Convention the Government made the following declarations:

[Original: Turkish]

"In conformity with the article 8 paragraph 9 of the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, Turkey does not consider itself bound by article 8 paragraph 2(a) with regard to the immunity from civil proceedings, by paragraph 2(b) concerning exemption from taxation, duties or other charges for personnel of the assisting party."

"Turkey hereby declares that in accordance with article 10, paragraph 5 of the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, it does not consider itself bound by the provisions of paragraph 2 article 10.

"Turkey hereby declares that in accordance with paragraph 3 of the article 13 of the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, it does not consider itself bound by the provisions of paragraph 2 of article 13, thereof."

Ukraine

On signing the Convention the Government of the Ukrainian Soviet Socialist Republic made the following statement:

[Original: Russian]

The Ukrainian SSR also declares that it accepts provisionally the obligations under the Conventions in question from the time of their signature and until their ratification. The Ukrainian SSR will not consider itself bound by the provisions of article 11, paragraph 2 of the Convention on Early Notification of a Nuclear Accident and article 13, paragraph 2 of the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, which envisage the possibility of submitting a dispute between States Parties to arbitration or referring it to the International Court of Justice at the request of any party, and states that for the submission of any international dispute to arbitration or referral to the International Court of Justice the agreement of all parties in each individual case is necessary.

On ratifying the Convention the Government of Ukraine made the following reservation:

[Original in Russian]

"The Ukrainian SSR will not consider itself bound by the provisions of Article 11, paragraph 2 of the Convention on Early Notification of a Nuclear Accident and Article 13, paragraph 2 of the Convention on Assistance in the case of a Nuclear Accident or Radiological Emergency, which envisage the possibility of submitting a dispute between States Parties to arbitration or referring it to the International Court of Justice at the request of any party, and states that for submission of any international dispute to arbitration or referral to the International Court of Justice the agreement of all parties in each individual case is necessary.

United Arab Emirates

On its accession to the Convention the Government of the United Arab Emirates made the following statement:

[Original English]

"The Government of the United Arab Emirates, in accordance with paragraph 3 of Article 13, does not consider itself bound by the provisions of paragraph 2 of that Article."

United Kingdom

On signing the Convention the Government of the United Kingdom of Great Britain and Northern Ireland made the following statement:

"The United Kingdom will apply this Convention provisionally from today's date to the extent permitted by its existing laws, regulations and administrative arrangements."

On ratifying the Convention the Government made the following reservation:

[Original: English]

"In pursuance of paragraph 9 of Article 8 of the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, the United Kingdom hereby declares that it considers itself bound by paragraphs 2 and 3 of the said Article 8 to the following extent:

1. in cases where assistance is provided by the International Atomic Energy Agency, to the extent to which the privileges and immunities provided for in those paragraphs are accorded in the Agreement on the Privileges and Immunities of the International Atomic Energy Agency, approved by the Board of Governors on 1 July 1959:

2. in cases where assistance is provided by any other international intergovernmental organisation, to the extent to which the United Kingdom has agreed to accord the privileges and immunities provided for in those paragraphs;
3. in cases where assistance is provided by a State Party to the Convention, to the following extent:
 - (a) in relation to the State Party providing assistance to the extent that that State Party is itself bound by those paragraphs in relation to the United Kingdom;
 - (b) the United Kingdom shall only be bound to apply paragraph 2(b) in cases where the State Party is providing assistance without cost to the United Kingdom; and
 - (c) the exemption from taxation provided for in paragraph 2(b) shall only extend to an exemption from income tax on salaries and emoluments of personnel which are paid from the State Party providing assistance and the United Kingdom reserves the right to take those salaries and emoluments into account for the purpose of assessing the amount of taxation to be applied to income from other sources".

United States of America

On signing and ratifying the Convention the Government of the United States of America made the following declaration:

[Original in English]

"In accordance with paragraphs 3 and 4 of article 2 and paragraph 2 of article 7, the United States declares that reimbursement of costs is among the terms of assistance it may provide unless the United States explicitly specifies otherwise or waives reimbursement.

With respect to any other State Party that has declared pursuant to paragraph 9 of article 8 that it does not consider itself bound in whole or in part by paragraph 2 or 3, the United States declares pursuant to paragraph 9 that in its treaty relations with that State the United States does not consider itself bound by paragraphs 2 and 3 to the same extent provided in the declaration of that other State Party.

With respect to any other State Party that has declared pursuant to paragraph 5 of article 10 that it does not consider itself bound in whole or in part by paragraph 2 or that it will not apply paragraph 2 in whole or in part in cases of gross negligence, the United States does not consider itself bound by paragraph 2 to the same extent as provided in the declaration of that other State Party.

As provided for in paragraph 3 of article 13, the United States declares that it does not consider itself bound by either of the dispute settlement procedures provided for in paragraph 2 of that article."

Vietnam

On its accession to the Convention the Government of the Socialist Republic of Vietnam made the following reservation:

[Original: French]

The Socialist Republic of Vietnam shall not consider itself to be bound by the provisions of paragraph 2 of article 11 of the Convention on Early Notification of a Nuclear Accident or of paragraph 2 of article 13 of the Convention of Assistance in the Case of a Nuclear Accident or Radiological Emergency, which provide for the possibility of submitting a dispute between States Parties to arbitration or of referring it to the International Court of Justice at the request of any party; the Socialist Republic of Vietnam declares that the submission of any international dispute to arbitration or its referral to the International Court of Justice requires the agreement of all the parties in each particular case.

Yugoslavia

On 28 April 1992 the Socialist Federal Republic of Yugoslavia (Serbia and Montenegro) declared:

[Original: English]

"shall continue to fulfil all the rights conferred to and obligations assumed by the Socialist Federal Republic of Yugoslavia in international relations, including... participation in international treaties ratified or acceded to by Yugoslavia".

Food and Agriculture Organization

On its Accession to the Convention the Food and Agriculture Organization made the following declaration:

"Pursuant to Article 14, paragraph 5(c), the Director-General of FAO declares that, within its constitutional mandate to monitor and evaluate the world food security situation, the Food and Agriculture Organization of the United Nations is competent to advise governments on measures to be taken in terms of the agricultural, fisheries and forestry practices to minimize the impact of radionuclides and to develop emergency procedures for alternative agricultural practices and for decontamination of agricultural, fisheries and forestry products, soil and water."

World Health Organization

On its accession to the Convention the World Health Organization made the following declaration:

[Original: English]

"In conformity with paragraph 5(c) of Article 14, the Director-General of WHO declares that the World Health Organization is competent to act as the directing and coordinating authority in international health work in matters covered by the Convention, and to provide related assistance upon the request or acceptance of governments, without prejudice to the national competence of each of its Member States."

World Meteorological Organization

On its accession to the Convention the World Meteorological Organization made this declaration:

[Original: English]

Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency

"I, the undersigned, Prof. G. O. P. Obasi, Secretary-General of the World Meteorological Organization; declare in accordance with paragraph 5(c) of Article 14 of the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency adopted at Vienna on the 26 September 1986 that the World Meteorological Organization has competence in respect of the negotiation, conclusion and application of international agreements in matters covered by this Convention to the extent of fulfilling the purposes of the Organization as laid down in Article 2 of the Convention of the World Meteorological Organization."

OBJECTIONS

Israel

"The Government of the State of Israel has noted that the instrument of accession of Saudi Arabia to the above mentioned Conventions contains a reservation in respect of Israel. In the view of the Government of the State of Israel, such reservation, which is explicitly of a political character, is incompatible with the purposes and objectives of these Conventions and cannot in any way affect whatever obligations are binding upon Saudi Arabia under general international law or under particular Conventions.

The Government of the State of Israel will, in so far as concerns the substance of the matter, adopt towards Saudi Arabia an attitude of complete reciprocity."

"The Government of the State of Israel has noted that the instruments of Ratification of the Republic of Iraq of the above mentioned Conventions contain a declaration in respect of Israel. In the view of the Government of the State of Israel, such declaration, which is explicitly of a political character, is incompatible with the purposes and objectives of these Conventions and cannot in any way affect whatever obligations are binding upon Iraq under general international law or under particular Conventions.

The Government of the State of Israel will, in so far as concerns the substance of the matter, adopt towards the Republic of Iraq an attitude of complete reciprocity."

Russian Federation

On 9 November 1989 the Director General received from the Permanent Mission of the Union of Soviet Socialist Republics a Note stating the following with regard to the identical declaration made by the Federal Republic of Germany upon ratification of the above-referenced Conventions:

"The statement by the Government of the Federal Republic of Germany contained in the said documents to the effect that these Conventions shall also apply to 'Land Berlin' is illegal because the said Conventions, by virtue of their content, touch on matters of safety and status and consequently belong in the category of those international agreements and arrangements which, as is clearly stated in the Four-Power Agreement of 3 September 1971, the Federal Republic of Germany does not have the right to extend to Berlin (West).

Also, the Permanent Mission of the USSR would draw your attention to the inadmissibility of using the expression 'Land Berlin' instead of Berlin (West)."

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