

International Convention for the Suppression of Terrorist Bombings

(New York, 15 December 1997)

OBJECTIVES

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

KEY PROVISIONS

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

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

ENTRY INTO FORCE

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

HOW TO BECOME A PARTY

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

OPTIONAL AND/OR MANDATORY DECLARATIONS AND NOTIFICATIONS

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

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

RESERVATIONS

The Convention is silent with regard to reservations. Pursuant to article 20 (2), States may declare that they do not consider themselves bound by article 20 (1), according to which disputes among Parties relating to the interpretation or application of the Convention which are not settled by negotiation will be submitted to arbitration and, failing agreement on the organization of the arbitration six months after the date of the request for arbitration, to the International Court of Justice (article 20).

DENUNCIATION/WITHDRAWAL

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

**INTERNATIONAL CONVENTION FOR THE SUPPRESSION OF TERRORIST
BOMBINGS**

New York, 15 December 1997

ENTRY INTO FORCE: 23 May 2001, in accordance with article 22 which reads as follows: "1. This Convention shall enter into force on the thirtieth day following the date of the deposit of the twenty-second instrument of ratification, acceptance, approval or accession with the Secretary-General of the United Nations. 2. For each State ratifying, accepting, approving or acceding to the Convention after the deposit of the twenty-second instrument of ratification, acceptance, approval or accession, the Convention shall enter into force on the thirtieth day after deposit by such State of its instrument of ratification, acceptance, approval or accession. 2. For each State ratifying, accepting, approving or acceding to the Convention after the deposit of the twenty-second instrument of ratification, acceptance, approval or accession, the Convention shall enter into force on the thirtieth day after deposit by such State of its instrument of ratification, acceptance, approval or accession." 23 May 2001, No. 37517.

REGISTRATION: United Nations, *Treaty Series*, vol. 2149, p. 256; depositary notification C.N.801.2001.TREATIES-9 of 12 October 2001 [proposal for corrections to the original of the Convention (authentic Chinese text)] and C.N.16.2002.TREATIES-1 of 10 January 2002 [rectification of the original text of the Convention (Chinese authentic text)]; C.N.310.2002.TREATIES-14 of 4 April 2002 [proposal of a correction to the original of the Convention (Spanish authentic text)] and C.N.416.2002.TREATIES-16 of 3 May 2002 [rectification of the original of the Convention (Spanish authentic text)]; C.N.1161.2005.TREATIES-15 of 15 November 2005 [proposal of a correction to the original of the Convention (Spanish authentic text)].

STATUS: Signatories: 58. Parties: 161.

TEXT: United Nations, *Treaty Series*, vol. 2149, p. 256; depositary notification C.N.801.2001.TREATIES-9 of 12 October 2001 [proposal for corrections to the original of the Convention (authentic Chinese text)] and C.N.16.2002.TREATIES-1 of 10 January 2002 [rectification of the original text of the Convention (Chinese authentic text)]; C.N.310.2002.TREATIES-14 of 4 April 2002 [proposal of a correction to the original of the Convention (Spanish authentic text)] and C.N.416.2002.TREATIES-16 of 3 May 2002 [rectification of the original of the Convention (Spanish authentic text)]; C.N.1161.2005.TREATIES-15 of 15 November 2005 [proposal of a correction to the original of the Convention (Spanish authentic text)].

Note: The Convention was adopted by resolution A/RES/52/164 of the General Assembly on 15 December 1997. In accordance with its article 21(1), the Convention will be open for signature by all States on 12 January 1998 until 31 December 1999 at United Nations Headquarters.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance(A), Approval(AA), Accession(a), Succession(d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance(A), Approval(AA), Accession(a), Succession(d)</i>
Afghanistan		24 Sep 2003 a	Botswana		8 Sep 2000 a
Albania		22 Jan 2002 a	Brazil	12 Mar 1999	23 Aug 2002
Algeria	17 Dec 1998	8 Nov 2001	Brunei Darussalam		14 Mar 2002 a
Andorra		23 Sep 2004 a	Bulgaria		12 Feb 2002 a
Argentina	2 Sep 1998	25 Sep 2003	Burkina Faso		1 Oct 2003 a
Armenia		16 Mar 2004 a	Burundi	4 Mar 1998	
Australia		9 Aug 2002 a	Cambodia		31 Jul 2006 a
Austria	9 Feb 1998	6 Sep 2000	Cameroon		21 Mar 2005 a
Azerbaijan		2 Apr 2001 a	Canada	12 Jan 1998	3 Apr 2002
Bahamas		5 May 2008 a	Cape Verde		10 May 2002 a
Bahrain		21 Sep 2004 a	Central African Republic		19 Feb 2008 a
Bangladesh		20 May 2005 a	Chile		10 Nov 2001 a
Barbados		18 Sep 2002 a	China ²		13 Nov 2001 a
Belarus	20 Sep 1999	1 Oct 2001	Colombia		14 Sep 2004 a
Belgium ¹	12 Jan 1998	20 May 2005	Comoros	1 Oct 1998	25 Sep 2003
Belize		14 Nov 2001 a	Costa Rica	16 Jan 1998	20 Sep 2001
Benin		31 Jul 2003 a	Côte d'Ivoire	25 Sep 1998	13 Mar 2002
Bolivia		22 Jan 2002 a	Croatia		2 Jun 2005 a
Bosnia and Herzegovina		11 Aug 2003 a	Cuba		15 Nov 2001 a

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance(A), Approval(AA), Accession(a), Succession(d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance(A), Approval(AA), Accession(a), Succession(d)</i>
Cyprus	26 Mar 1998	24 Jan 2001	Republic.....		
Czech Republic.....	29 Jul 1998	6 Sep 2000	Latvia.....		25 Nov 2002 a
Democratic Republic of the Congo.....		27 Jun 2008 a	Lesotho.....		12 Nov 2001 a
Denmark ³	23 Dec 1999	31 Aug 2001	Liberia		5 Mar 2003 a
Djibouti.....		1 Jun 2004 a	Libyan Arab Jamahiriya.....		22 Sep 2000 a
Dominica		24 Sep 2004 a	Liechtenstein		26 Nov 2002 a
Dominican Republic.....		21 Oct 2008 a	Lithuania	8 Jun 1998	17 Mar 2004
Egypt	14 Dec 1999	9 Aug 2005	Luxembourg	6 Feb 1998	6 Feb 2004
El Salvador.....		15 May 2003 a	Madagascar	1 Oct 1999	24 Sep 2003
Equatorial Guinea.....		7 Feb 2003 a	Malawi.....		11 Aug 2003 a
Estonia.....	27 Dec 1999	10 Apr 2002	Malaysia		24 Sep 2003 a
Ethiopia		16 Apr 2003 a	Maldives.....		7 Sep 2000 a
Fiji		15 May 2008 a	Mali		28 Mar 2002 a
Finland.....	23 Jan 1998	28 May 2002 A	Malta		11 Nov 2001 a
France	12 Jan 1998	19 Aug 1999	Marshall Islands		27 Jan 2003 a
Gabon		10 Mar 2005 a	Mauritania		30 Apr 2003 a
Georgia		18 Feb 2004 a	Mauritius		24 Jan 2003 a
Germany	26 Jan 1998	23 Apr 2003	Mexico.....		20 Jan 2003 a
Ghana		6 Sep 2002 a	Micronesia (Federated States of).....		23 Sep 2002 a
Greece.....	2 Feb 1998	27 May 2003	Monaco.....	25 Nov 1998	6 Sep 2001
Grenada		13 Dec 2001 a	Mongolia		7 Sep 2000 a
Guatemala.....		12 Feb 2002 a	Montenegro ⁴		23 Oct 2006 d
Guinea		7 Sep 2000 a	Morocco		9 May 2007 a
Guinea-Bissau		6 Aug 2008 a	Mozambique.....		14 Jan 2003 a
Guyana		12 Sep 2007 a	Myanmar		12 Nov 2001 a
Honduras		25 Mar 2003 a	Nauru.....		2 Aug 2005 a
Hungary.....	21 Dec 1999	13 Nov 2001	Nepal	24 Sep 1999	
Iceland.....	28 Sep 1998	15 Apr 2002	Netherlands ⁵	12 Mar 1998	7 Feb 2002 A
India.....	17 Sep 1999	22 Sep 1999	New Zealand ⁶		4 Nov 2002 a
Indonesia		29 Jun 2006 a	Nicaragua		17 Jan 2003 a
Ireland.....	29 May 1998	30 Jun 2005	Niger.....		26 Oct 2004 a
Israel.....	29 Jan 1999	10 Feb 2003	Norway.....	31 Jul 1998	20 Sep 1999
Italy.....	4 Mar 1998	16 Apr 2003	Pakistan		13 Aug 2002 a
Jamaica		9 Aug 2005 a	Palau		14 Nov 2001 a
Japan.....	17 Apr 1998	16 Nov 2001 A	Panama.....	3 Sep 1998	5 Mar 1999
Kazakhstan		6 Nov 2002 a	Papua New Guinea		30 Sep 2003 a
Kenya		16 Nov 2001 a	Paraguay.....		22 Sep 2004 a
Kiribati		15 Sep 2005 a	Peru		10 Nov 2001 a
Kuwait		19 Apr 2004 a	Philippines.....	23 Sep 1998	7 Jan 2004
Kyrgyzstan.....		1 May 2001 a	Poland.....	14 Jun 1999	3 Feb 2004
Lao People's Democratic		22 Aug 2002 a	Portugal	30 Dec 1999	10 Nov 2001

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance(A), Approval(AA), Accession(a), Succession(d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Acceptance(A), Approval(AA), Accession(a), Succession(d)</i>
Qatar		27 Jun 2008 a	Tajikistan.....		29 Jul 2002 a
Republic of Korea	3 Dec 1999	17 Feb 2004	Thailand.....		12 Jun 2007 a
Republic of Moldova.....		10 Oct 2002 a	The former Yugoslav Republic of Macedonia	16 Dec 1998	30 Aug 2004
Romania	30 Apr 1998	29 Jul 2004	Togo	21 Aug 1998	10 Mar 2003
Russian Federation	12 Jan 1998	8 May 2001	Tonga.....		9 Dec 2002 a
Rwanda.....		13 May 2002 a	Trinidad and Tobago		2 Apr 2001 a
San Marino		12 Mar 2002 a	Tunisia.....		22 Apr 2005 a
Sao Tome and Principe..		12 Apr 2006 a	Turkey	20 May 1999	30 May 2002
Saudi Arabia.....		31 Oct 2007 a	Turkmenistan.....	18 Feb 1999	25 Jun 1999
Senegal		27 Oct 2003 a	Uganda	11 Jun 1999	5 Nov 2003
Serbia.....		31 Jul 2003 a	Ukraine.....		26 Mar 2002 a
Seychelles.....		22 Aug 2003 a	United Arab Emirates....		23 Sep 2005 a
Sierra Leone		26 Sep 2003 a	United Kingdom of Great Britain and Northern Ireland	12 Jan 1998	7 Mar 2001
Singapore.....		31 Dec 2007 a	United Republic of Tanzania		22 Jan 2003 a
Slovakia.....	28 Jul 1998	8 Dec 2000	United States of America	12 Jan 1998	26 Jun 2002
Slovenia.....	30 Oct 1998	25 Sep 2003	Uruguay.....	23 Nov 1998	10 Nov 2001
South Africa	21 Dec 1999	1 May 2003	Uzbekistan.....	23 Feb 1998	30 Nov 1998
Spain.....	1 May 1998	30 Apr 1999	Venezuela (Bolivarian Republic of).....	23 Sep 1998	23 Sep 2003
Sri Lanka	12 Jan 1998	23 Mar 1999	Yemen		23 Apr 2001 a
St. Kitts and Nevis.....		16 Nov 2001 a			
St. Vincent and the Grenadines		15 Sep 2005 a			
Sudan.....	7 Oct 1999	8 Sep 2000			
Swaziland		4 Apr 2003 a			
Sweden	12 Feb 1998	6 Sep 2001			
Switzerland.....		23 Sep 2003 a			

Declarations and Reservations

(Unless otherwise indicated, the declarations and reservations were made upon ratification, acceptance, approval or accession.)

ALGERIA

Reservation:

Reservation of Algeria
The Government of the People's Democratic Republic of Algeria does not consider itself bound by the provisions of article 20, paragraph 1, of the International Convention for the Suppression of Terrorist Bombings.
The Government of the People's Democratic Republic of Algeria declares that in order for a dispute to be submitted to arbitration or to the International Court of Justice, the agreement of all parties to the dispute shall be required in each case.

BAHAMAS

Reservation

"In accordance with paragraph 2 of Article 20, the Commonwealth of The Bahamas does not consider itself

bound by any of the arbitration procedures established under paragraph 1 of Article 20 on the basis that referral of a dispute concerning the application or interpretation of the provisions of the Convention to arbitration or to the International Court must be by the consent of all of the parties to the dispute."

BAHRAIN

Reservation:

The Kingdom of Bahrain does not consider itself bound by Paragraph 1 of Article 20 of the Convention.

BELGIUM¹

BRAZIL

Reservation:

".....the Federative Republic of Brazil declares, pursuant to article 20, paragraph 2, of the International

Convention for the Suppression of Terrorist Bombings, adopted in New York on the 15th December 1997, that it does not consider itself bound by the provisions of article 20, paragraph 1, of the said Convention.

CANADA

Declaration:

"Canada declares that it considers the application of article 2 (3) (c) of the Terrorist Bombing Convention to be limited to acts committed in furthering a conspiracy of two or more persons to commit a specific criminal offence contemplated in paragraph 1 or 2 of article 2 of that Convention."

CHINA

Reservation:

"... China accedes to the International Convention for the Suppression of Terrorist Bombing, done at New York on 15 December 1997, and declares that it does not consider itself bound by paragraph 1 of Article 20 of the Convention."

COLOMBIA

Declaration:

By virtue of article 20, paragraph 2, of the Convention, Colombia declares that it does not consider itself bound by paragraph 1 of the said article.

Furthermore, by virtue of article 6, paragraph 3, of the Convention, Colombia states that it establishes its jurisdiction in accordance with its domestic law in relation to paragraph 2 of the same article.

CUBA

Reservation and declaration:

Reservation

The Republic of Cuba declares, pursuant to article 20, paragraph 2, that it does not consider itself bound by paragraph 1 of the said article, concerning the settlement of disputes arising between States Parties, inasmuch as it considers that such disputes must be settled through amicable negotiation. In consequence, it declares that it does not recognize the compulsory jurisdiction of the International Court of Justice.

Declaration

The Republic of Cuba declares that none of the provisions contained in article 19, paragraph 2, shall constitute an encouragement or condonation of the threat or use of force in international relations, which must under all circumstances be governed strictly by the principles of international law and the purposes and principles enshrined in the Charter of the United Nations.

Cuba also considers that relations between States must be based strictly on the provisions contained in resolution 2625 (XXV) of the United Nations General Assembly.

In addition, the exercise of State terrorism has historically been a fundamental concern for Cuba, which considers that the complete eradication thereof through mutual respect, friendship and cooperation between States, full respect for sovereignty and territorial integrity, self-determination and non-interference in internal affairs must constitute a priority of the international community.

Cuba is therefore firmly of the opinion that the undue use of the armed forces of one State for the purpose of aggression against another cannot be condoned under the present Convention, whose purpose is precisely to combat, in accordance with the principles of the international law, one of the most noxious forms of crime faced by the modern world.

To condone acts of aggression would amount, in fact, to condoning violations of international law and of the Charter and provoking conflicts with unforeseeable consequences that would undermine the necessary cohesion of the international community in the fight against the scourges that truly afflict it.

The Republic of Cuba also interprets the provisions of the present Convention as applying with full rigour to activities carried out by armed forces of one State against another State in cases in which no armed conflict exists between the two.

EGYPT⁷

Upon signature :

Reservations:

"1. Article 6, paragraph 5:

The Government of the Arab Republic of Egypt declares that it is bound by Article 6, paragraph 5, of the Convention insofar as the domestic laws of States Parties do not contradict the relevant rules and principles of international law.

2. Article 19, paragraph 2 :

The Government of the Arab Republic of Egypt declares that it is bound by Article 19, paragraph 2, of the Convention insofar as the military forces of the State, in the exercise of their duties do not violate the rules and principles of international law."

Upon ratification :

1. The Government of the Arab Republic of Egypt declares that it shall be bound by article 6, paragraph 5, of the Convention to the extent that the national legislation of States Parties is not incompatible with the relevant norms and principles of international law.

2. The Government of the Arab Republic of Egypt declares that it shall be bound by article 19, paragraph 2, of the Convention to the extent that the armed forces of a State, in the exercise of their duties, do not violate the norms and principles of international law.

EL SALVADOR

Declaration:

... with regard to article 20, paragraph 2, the Republic of El Salvador declares that it does not consider itself bound by paragraph 1 of the said article because it does not recognize the compulsory jurisdiction of the International Court of Justice.

ETHIOPIA

Reservation pursuant to article 20 (2):

"The Government of the Federal Democratic Republic of Ethiopia does not consider itself bound by the aforementioned provision 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 disputes concerning the interpretation or application of the Convention would be submitted to arbitration or to the Court only with the prior consent of all the parties concerned."

GERMANY

Upon signature and confirmed upon ratification:

Declaration:

The Federal Republic of Germany understands article 1 para. 4 of [the said Convention] in the sense that the term "military forces of a state" includes their national contingents operating as part of the United Nations forces. Furthermore, the Federal Republic of Germany also

understands that, for the purposes of this Convention, the term "military forces of a state" also covers police forces.

INDIA

Reservation:

"In accordance with Article 20 (2), the Government of the Republic of India hereby declares that it does not consider itself bound by the provisions of Article 20 (1) of the Convention."

INDONESIA

Declaration:

"The Government of the Republic of Indonesia declares that the provisions of Article 6 of the International Convention for the Suppression of Terrorist Bombings will have to be implemented in strict compliance with the principles of the sovereignty and territorial integrity of States."

Reservation:

"The Government of the Republic of Indonesia does not consider itself bound by the provision of Article 20 and takes the position that dispute relating to the interpretation and application on the Convention which cannot be settled through the channel provided for in Paragraph (1) of the said Article, may be referred to the International Court of Justice only with the consent of all the Parties to the dispute."

ISRAEL

"... with the following declarations:

The Government of the State of Israel understands Article 1, paragraph 4, of the Convention for the Suppression of Terrorist Bombings, in the sense that the term "military forces of a State" includes police and security forces operating pursuant to the internal law of the State of Israel.

The Government of the State of Israel understands that the term "international humanitarian law" referred to in Article 19, of the Convention has the same substantive meaning as the term "the laws of war" ("jus in bello"). This body of laws does not include the provisions of the protocols additional to the Geneva Conventions of 1977 to which the State of Israel is not a Party.

The Government of the State of Israel understands that under Article 1 paragraph 4 and Article 19 the Convention does not apply to civilians who direct or organize the official activities of military forces of a state.

Pursuant to Article 20, paragraph 2 of the Convention, the State of Israel does not consider itself bound by the provisions of Article 20, paragraph 1 of the Convention."

KUWAIT

Reservation and declaration:

".....the reservation to its paragraph (a) of article (20) and the declaration of non-compliance to its provisions."

LAO PEOPLE'S DEMOCRATIC REPUBLIC

Reservation:

"In accordance with paragraph 2, Article 20 of the International Convention for the Suppression of Terrorist Bombings, the Lao People's Democratic Republic does not consider itself bound by paragraph 1, article 20 of the present Convention. The Lao People's Democratic Republic declares that to refer a dispute relating to interpretation and application of the present Convention to arbitration or International Court of Justice, the agreement of all parties concerned in the dispute is necessary."

MALAYSIA

Declarations:

"1. The Government of Malaysia understands the phrase "Military forces of a State" in Article 1 (4) of the Convention to include the national contingents of Malaysia operating as part of United Nations forces.

2.

3. The Government of Malaysia understands Article 8 (1) of the Convention to include the right of the competent authorities to decide not to submit any particular case for prosecution before the judicial authorities if the alleged offender is dealt with under national security and preventive detention laws.

4. (a) Pursuant to Article 20 (2) of the Convention, the Government of Malaysia declares that it does not consider itself bound by Article 20 (1) of the Convention; and

(b) the Government of Malaysia reserves the right specifically to agree in a particular case to follow the arbitration procedure set forth in Article 20 (1) of the Convention or any other procedure for arbitration."

MOZAMBIQUE

Declaration:

"... with the following declaration in accordance with its article 20, paragraph 2:

"The Republic of Mozambique does not consider itself bound by the provisions of article 20 paragraph 1 of the Convention.

In this connection, the Republic of Mozambique 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"

Furthermore, the Republic of Mozambique declare that:

"The Republic of Mozambique, in accordance with its Constitution and domestic laws, may not and will not extradite Mozambique citizens.

Therefore, Mozambique citizens will be tried and sentenced in national courts"

MYANMAR

Reservation:

"The Government of the Union of Myanmar, having considered the Convention aforesaid, hereby declares that it accedes to the same with reservation on Article 20 (1) and does not consider itself bound by the provision set forth in the said Article."

NETHERLANDS

Declaration:

"The Kingdom of the Netherlands understands Article 8, paragraph 1, of the International Convention for the Suppression of Terrorist Bombings to include the right of the competent judicial authorities to decide not to prosecute a person alleged to have committed such an offence, if, in the opinion of the competent judicial authorities grave considerations of procedural law indicate that effective prosecution will be impossible."

PAKISTAN⁸

Declaration:

"The Government of the Islamic Republic of Pakistan declares that nothing in this Convention shall be applicable to struggles, including armed struggle, for the realization of right of self-determination launched against

any alien or foreign occupation or domination, in accordance with the rules of international law. This interpretation is consistent with Article 53 of the Vienna Convention on the Law of Treaties 1969 which provides that an agreement or treaty concluded in conflict with an existing *jus cogens* or preemptory norm of international law is void and, the right of self-determination is universally recognized as *a jus cogens*."

PORTUGAL

Upon signature:

Declaration:

"For the purposes of article 8, paragraph 2, of the Convention, Portugal declares that the extradition of Portuguese nationals from its territory will be authorized only if the following conditions, as stated in the Constitution of the Portuguese Republic, are met:

a) In case of terrorism and organised criminality; and

b) For purposes of criminal proceedings and, being so, subject to a guarantee given by the state seeking the extradition that the concerned person will be surrendered to Portugal to serve the sentence or measure imposed on him or her, unless such person does not consent thereto by means of expressed declaration.

For purposes of enforcement of a sentence in Portugal, the procedures referred to in the declaration made by Portugal to the European Convention on the transfer of sentenced persons shall be complied with."

REPUBLIC OF MOLDOVA

Declarations:

... with the following declarations and reservation

1.

2. The Republic of Moldova declares its understanding that the provisions of article 12 of the International Convention for the Suppression of Terrorist Bombings should be implemented in such a way as to ensure the inevitability of responsibility for the commission of offenses falling within the scope of the Convention, without prejudice to the effectiveness of the international cooperation on the questions of extradition and legal assistance.

3. Pursuant to article 20, paragraph 2 of the International Convention for the Suppression of Terrorist Bombings, the Republic of Moldova declares that it does not consider itself bound by the provisions of article 20, paragraph 1 of the Convention.

RUSSIAN FEDERATION

Upon signature:

Declaration:

The position of the Russian Federation is that the provisions of article 12 of the Convention should be implemented in such a way as to ensure the inevitability of responsibility for the commission of offences falling within the scope of the Convention, without detriment to the effectiveness of international cooperation on the questions of extradition and legal assistance.

Upon ratification:

Declarations:

.....

2) "The position of the Russian Federation is that the provisions of article 12 of the Convention should be implemented in such a way as to ensure the inevitability of responsibility for the commission of offenses falling within the scope of the Convention, without detriment to the effectiveness of international cooperation on the questions of extradition and legal assistance".

SAUDI ARABIA

Declaration and reservation

1. The Kingdom of Saudi Arabia decides to establish its full jurisdiction in accordance with paragraph (2) of article 6 of the Convention.

2. The Kingdom of Saudi Arabia declares that it does not consider itself bound by paragraph 1 of article 20 of the Convention concerning the submission of disputes arising from the interpretation or application of this Convention or referring such dispute to the International Court of Justice.

SINGAPORE

Reservation:

"(1) Pursuant to Article 20, paragraph 2, of the Convention, the Republic of Singapore declares that it does not consider itself bound by the provisions of Article 20, paragraph 1 of the Convention."

Declarations:

"(1) The Republic of Singapore understands Article 8, paragraph 1, of the Convention to include the right of competent authorities to decide not to submit any particular case for prosecution before the judicial authorities if the alleged offender is dealt with under national security and preventive detention laws.

(2) The Republic of Singapore understands that the term 'armed conflict' in Article 19, paragraph 2, of the Convention does not include internal disturbances and tensions, such as riots, isolated and sporadic acts of violence, and other acts of a similar nature.

(3) The Republic of Singapore understands that, under Article 19 and Article 1, paragraph 4, the Convention does not apply to:

(a) the military forces of a state in the exercise of their official duties;

(b) civilians who direct or organize the official activities of military forces of a state; or

(c) civilians acting in support of the official activities of the military forces of a state, if the civilians are under the formal command, control, and responsibility of those forces."

SPAIN

29 February 2000

Declaration:

According to article 23 of the Organization of Justice Act 6/1985 of 1 July, terrorism is a crime that is universally prosecutable and over which the Spanish courts have international jurisdiction under any circumstances; accordingly, article 6, paragraph 2 of the Convention is deemed to have been satisfied and there is no need to establish a special jurisdiction upon ratification of the Convention.

SUDAN

Declaration concerning article 19, paragraph 2:

This paragraph shall not create any additional obligation to the Government of the Republic of the Sudan. It does not affect and does not diminish the responsibility of the Government of the Republic of the Sudan to maintain by all legitimate means order and law or re-establish it in the country or to defend its national unity or territorial integrity.

This paragraph does not affect the principle of non-interference in internal affairs of states, directly or indirectly, as it is set out in the United Nations Charter and relative provisions of international law.

Reservation to article 20, paragraph 1:

The Republic of the Sudan does not consider itself bound by paragraph 1 of article 20, in pursuance to paragraph 2 of the same article.

THAILAND

Reservation:

"The Government of the Kingdom of Thailand does not consider itself bound by Article 20 paragraph 1 of the Convention."

TUNISIA

Reservation:

By agreeing to accede to the International Convention for the Suppression of Terrorist Bombings, adopted by the General Assembly of the United Nations on 15 December 1997, [the Republic of Tunisia] declares that it does not consider itself bound by the provisions of article 20 (1) and affirms that disputes concerning the interpretation or application of the said Convention may only be submitted to the International Court of Justice with its prior consent."

TURKEY

Upon signature:

Declarations:

"The Republic of Turkey declares that articles 9 and 12 should not be interpreted in such a way that offenders of these crimes are neither tried nor prosecuted. Furthermore mutual legal assistance and extradition are two different concepts and the conditions for rejecting a request for extradition should not be valid for mutual legal assistance.

The Republic of Turkey declares its understanding that the term international humanitarian law referred to in article 19 of the Convention for the Suppression of Terrorist Bombings shall be interpreted as comprising the relevant international rules excluding the provisions of additional Protocols to Geneva Conventions of 12 August 1949, to which Turkey is not a Party. The first part of the second paragraph of the said article should not be interpreted as giving a different status to the armed forces and groups other than the armed forces of a state as currently understood and applied in international law and thereby as creating new obligations for Turkey.

Reservation:

Pursuant to paragraph 2 of article (20) of the [Convention] the Republic of Turkey declares that it does not consider itself bound by the provisions of paragraph 1 of article (20) of the said Convention."

Upon ratification:

"[W]ith the stated reservations...[.]

1) The Republic of Turkey declares that Articles (9) and (12) should not be interpreted in such a way that offenders of these crimes are neither tried nor prosecuted.

2) The Republic of Turkey declares its understanding that the term international humanitarian law referred to in Article (19) of the Convention for the Suppression of Terrorist Bombings shall be interpreted as comprising the relevant international rules excluding the provisions of Additional Protocols to Geneva Conventions of 12 August 1949, to which Turkey is not a Party. The first part of the second paragraph of the said article should not be interpreted as giving a different status to the armed forces and groups other than the armed forces of a state as currently understood and applied in international law and thereby as creating new obligations for Turkey.

3) Pursuant to Paragraph 2 of Article (20) of the International Convention for the Suppression of Terrorist Bombings, the Republic of Turkey declares that it does not consider itself bound by the provisions of Paragraph 1 of Article (20) of the said Convention."

UKRAINE

Reservation:

The provisions of article 19, paragraph 2, do not preclude Ukraine from exercising its jurisdiction over the members of military forces of a state and their prosecution, should their actions be illegal. The Convention will be applied to the extent that such activities are not governed by other rules of international law.

UNITED ARAB EMIRATES

Reservation and declaration:

...subject to a reservation with respect to paragraph 1 of article 20 thereof, which relates to the settlement of disputes arising between States Parties, in consequence of which the United Arab Emirates does not consider itself bound by that paragraph concerning arbitration.

Moreover, the Government of the United Arab Emirates will determine its jurisdiction over the offences in the cases provided for in article 6, paragraph 2, of the Convention and will notify the Secretary-General of the United Nations to that effect in accordance with paragraph 3 of that article.

UNITED STATES OF AMERICA

Reservation:

"(a) pursuant to article 20 (2) of the Convention, the United States of America declares that it does not consider itself bound by Article 20 (1) of the Convention; and

(b) the United States of America reserves the right specifically to agree in a particular case to follow the procedure in Article 20 (1) of the Convention or any other procedure for arbitration."

Understandings:

"(1) EXCLUSION FROM COVERAGE OF TERM "ARMED CONFLICT". The United States of America understands that the term "armed conflict" in Article 19 (2) of the Convention does not include internal disturbances and tensions, such as riots, isolated and sporadic acts of violence, and other acts of a similar nature.

(2) MEANING OF TERM "INTERNATIONAL HUMANITARIAN LAW". The United States of America understands that the term "international humanitarian law" in Article 19 of the Convention has the same substantive meaning as the law of war.

(3) EXCLUSION FROM COVERAGE OF ACTIVITIES BY MILITARY FORCES. The United States understands that, under Article 19 and Article 1 (4), the Convention does not apply to:

(A) the military forces of a state in the exercise of their official duties;

(B) civilians who direct or organize the official activities of military forces of a state; or

(C) civilians acting in support of the official activities of the military forces of a state, if the civilians are under the formal command, control, and responsibility of those forces. "

VENEZUELA (BOLIVARIAN REPUBLIC OF)

Reservation:

The Bolivarian Republic of Venezuela, pursuant to the provisions of article 20, paragraph 2, of the International Convention for the Suppression of Terrorist Bombings, formulates an express reservation regarding the stipulation in paragraph 1 of that article. Accordingly, it does not consider itself bound to resort to arbitration as a means of dispute settlement, and does not recognize the binding jurisdiction of the International Court of Justice.

*Notifications made under article 6 (3)
(Unless otherwise indicated, the notifications were made upon ratification,
acceptance, approval or accession.)*

ANDORRA

In accordance with article 6, paragraph 3, of the Convention, Andorra establishes its competence regarding the offences described in article 2, for all the cases covered by article 6, paragraph 2, b), c) and d).

AUSTRALIA

18 October 2002

"... in accordance with article 6 (3) of the Convention, Australia has chosen to establish jurisdiction in all the circumstances provided for by Article 6 (2), and has provided for such jurisdiction in domestic legislation which took effect on 8 September 2002."

BOLIVIA

... by virtue of the provisions of article 6, paragraph 3, of the International Convention for the Suppression of Terrorist Bombings, the Republic of Bolivia states that it establishes its jurisdiction in accordance with its domestic law in respect of offences committed in the situations and conditions provided for under article 6, paragraph 2, of the Convention.

BRAZIL

... the Federative Republic of Brazil declares that, in accordance with the provisions of article 6, paragraph 3, of the said Convention, it will exercise jurisdiction over the offences within the meaning of article 2, in the cases set forth in article 6, paragraph 2, subparagraphs (a), (b) and (e) of the Convention."

CHILE

In accordance with article 6, paragraph 3, of the International Convention for the Suppression of Terrorist Bombings, the Government of Chile declares that, in accordance with article 6, paragraph 8, of the Courts Organization Code of the Republic of Chile, crimes and ordinary offences committed outside the territory of the Republic which are covered in treaties concluded with other Powers remain under Chilean jurisdiction.

CYPRUS

"In accordance with article 6, paragraph 3 of the Convention, the Republic of Cyprus establishes its jurisdiction over the offences specified in article 2 in all the cases provided for in article 6, paragraphs 1, 2 and 4.

DENMARK

"Pursuant to article 6 (3) of the International Convention for the Suppression of Terrorist Bombings, Denmark provides the following information on Danish criminal jurisdiction:

Rules on Danish criminal jurisdiction are laid down in Section 6 to 12 in the Danish Criminal Code. The provisions have the following wording:

Section 6**Acts committed**

- 1) within the territory of the Danish state; or
- 2) on board a Danish ship or aircraft, being outside the territory recognized by international law as belonging to any state; or
- 3) on board a Danish ship or aircraft, being within the territory recognized by international law as belonging to a foreign state, if committed by persons employed on the ship or aircraft or by passengers travelling on board the ship or aircraft, shall be subject to Danish criminal jurisdiction.

Section 7

(1) Acts committed outside the territory of the Danish state by a Danish national or by a person resident in the Danish state shall also be subject to Danish criminal jurisdiction in the following circumstances, namely:

- 1) where the act was committed outside the territory recognized by international law as belonging to any state, provided acts of the kind in question are punishable with a sentence more severe than imprisonment for four months; or
- 2) where the act was committed within the territory of a foreign state, provided that it is also punishable under the law in force in that territory.

(2) The provisions in Subsection (1) above shall similarly apply to acts committed by a person who is a national of, or who is resident in Finland, Iceland, Norway or Sweden, and who is present in Denmark.

Section 8

The following acts committed outside the territory of the Danish state, shall also come within Danish criminal jurisdiction, irrespective of the nationality of the perpetrator.

- 1) where the act violates the independence, security, Constitution of public authorities of the Danish state, official duties toward the state or such interests, the legal protection of which depends on a personal connection with the Danish state; or
- 2) where the act violates an obligation which the perpetrator is required by law to observe abroad or prejudices the performance of an official duty incumbent on him with regard to a Danish ship or aircraft; or
- 3) where an act committed outside the territory recognized by international law as belonging to any state violates a Danish national or a person resident in the Danish state, provided acts of the kind in question are punishable with a sentence more severe than imprisonment for four months; or

4) where the act comes within the provisions of Section 183 a of this Act. The prosecution may also include breaches of Sections 237 and 244-248 of this Act, when committed in conjunction with the breach of Section 183 a; or

5) where the act is covered by an international convention in pursuance of which Denmark is under an obligation to start legal proceedings; or

6) where transfer of the accused for legal proceedings in another country is rejected, and the act, provided it is committed within the territory recognized by international law as belonging to a foreign state, is punishable according to the law of this state, and provided that according to Danish law the act is punishable with a sentence more severe than one year of imprisonment.

Section 9

Where the punishable nature of an act depends on or is influenced by an actual or intended consequence, the act shall also be deemed to have been committed where the consequence has taken effect or has been intended to take effect.

Section 10

(1) Where prosecution takes place in this country under the foregoing provisions, the decision concerning the punishment or other legal consequences of the act shall be made under Danish law.

(2) In the circumstances referred to in Section 7 of this Act, if the act was committed within the territory recognized by international law as belonging to a foreign state, the punishment may not be more severe than that provided for by the law of that state.

Section 10 a

(1) A person who has been convicted by a criminal court in the state where the act was committed or who has received a sentence which is covered by the European Convention on the International Validity of Criminal Judgments, or by the Act governing the Transfer of Legal Proceedings to another country, shall not be prosecuted in this country for the same act, if:

- 1) he is finally acquitted; or

2) the penalty imposed has been served, is being served or has been remitted according to the law of the state in which the court is situated; or
3) he is convicted, but no penalty is imposed.
(2) The provisions contained in Subsection (1) above shall not apply to
a) acts which fall within Section 6 (1) of this Act; or
b) the acts referred to in Section 8 (1) 1) above, unless the prosecution in the state in which the court was situated was at the request of the Danish Prosecuting Authority.

Section 10 b
Where any person is prosecuted and punishment has already been imposed on him for the same act in another country, the penalty imposed in this country shall be reduced according to the extent to which the foreign punishment has been served.

Section 11
If a Danish national or a person resident in the Danish state has been punished in a foreign country for an act which under Danish law may entail loss or forfeiture of an office or profession or of any other right, such a deprivation may be sought in a public action in this country.

Section 12
The application of the provisions of Section 6-8 of this Act shall be subject to the applicable rules of international law."

EL SALVADOR

With regard to article 6, paragraph 3, the Government of the Republic of El Salvador, gives notification that it has established its jurisdiction under its domestic law in respect of the offences committed in the situations and under the conditions mentioned in article 6, paragraph 2, of the Convention;...

ESTONIA

"...pursuant to article 6, paragraph 3 of the Convention, the Republic of Estonia declares that in its domestic law it shall apply the jurisdiction set forth in article 6 paragraph 2 over offences set forth in article 2."

FINLAND

"Pursuant to article 6 (3) of the International Convention for the Suppression of Terrorist Bombings, the Republic of Finland establishes its jurisdiction over the offences set forth in article 2 in all the cases provided for in article 6, paragraphs 1, 2 and 4."

HUNGARY

"The Government of the Republic of Hungary declares that, in relation to Article 6, paragraph 3 of the International Convention for the Suppression of Terrorist Bombings, the Republic of Hungary, pursuant to its Criminal Code, has jurisdiction over the crimes set out in Article 2 of the Convention in the cases provided for in Article 6, paragraphs 1 and 2 of the Convention."

ICELAND

Declaration:

"Pursuant to article 6, paragraph 3, of the International Convention for the Suppression of Terrorist Bombings, Iceland declares that it has established its jurisdiction over the offences set forth in article 2 of the Convention in all the cases provided for in article 6, paragraph 2, of the Convention."

ISRAEL

Pursuant to Article 6 paragraph 3 of the International Convention for the Suppression of Terrorist Bombings, the Government of the State of Israel hereby notifies the Secretary-General of the United Nations that it has established jurisdiction over the offences referred to in Article 2 in all the cases detailed in Article 6 paragraph 2.

JAMAICA

"...Jamaica has established jurisdiction over the offences set forth in Article 2, with respect to the jurisdiction stated in Article 6 (2) (d) which states:

"A State Party may establish jurisdiction over any such offence when:

...(d) The offence is committed in an attempt to compel that State to do or abstain from doing any act!..."

LATVIA

"In accordance with Article 6, paragraph 3 of the International Convention for the Suppression of Terrorist Bombings, opened for signature at New York on the 12th day of January 1998, the Republic of Latvia declares that it has established jurisdiction in all cases listed in Article 6, paragraph 2."

LITHUANIA

"...the Seimas of the Republic of Lithuania declares that the Republic of Lithuania establishes the jurisdiction for the offences provided in Article 2 of the Convention in all cases described in paragraph 2 of Article 6 of the said Convention."

MALAYSIA

"In accordance with Article 6 (3) of the Convention, the Government of Malaysia declares that it has established jurisdiction in accordance with its domestic laws over the offences set forth in Article 2 of the Convention in all the cases provided for in Article 6 (1) and 6 (2)."

MEXICO

24 February 2003
...in accordance with article 6, paragraph 3, of the Convention, Mexico exercises jurisdiction over the offences defined in the Convention where:

(a) They are committed against Mexicans in the territory of another State party, provided that the accused is in Mexico and has not been tried in the country in which the offence was committed. Where it is a question of offences defined in the Convention but committed in the territory of a non-party State, the offence shall also be defined as such in the place where it was committed (art. 6, para. 2 (a));

(b) They are committed in Mexican embassies and on diplomatic or consular premises (art. 6, para. 2 (b));

(c) They are committed abroad but produce effects or are claimed to produce effects in the national territory (art. 6, para. (d)).

MONACO

The Principality declares that, in accordance with the provisions of article 6, paragraph 3, of the International Convention for the Suppression of Terrorist Bombings, it establishes its jurisdiction over the acts recognized as offences within the meaning of article 2 of the Convention, in the cases set forth in article 6, paragraphs 1 and 2, of the Convention.

PARAGUAY

... by virtue of the provisions of article 6, paragraph 3, of the aforementioned Convention, the Republic of Paraguay has established its jurisdiction in accordance with its domestic legislation, under article 6, paragraph 2, of the Convention.

PORTUGAL

16 January 2002

"Pursuant to article 6 (3) of the International Convention for the Suppression of Terrorist Bombings, Portugal declares that in accordance with article 5 (1) (a) of the Penal Code, Portuguese courts will have jurisdiction against the crimes of terrorism and of terrorist organisations, set forth respectively in article 300 and 301 of the same Code, wherever the place they have been committed, thus covering, in connection with the said crimes, the cases set forth in article 6 (2) of the Convention."

REPUBLIC OF KOREA

7 July 2004

Pursuant to Article 6, Paragraph 3 of the International Convention for the Suppression of Terrorist Bombings,

The Republic of Korea provides the following information on its criminal jurisdiction. Principles on the criminal jurisdiction are set out in the Chapter I of Part I of the Korean Penal Code. The provisions have the following wording:

Article 2 (Domestic Crimes) This Code shall apply to anyone, whether Korean or alien, who commits a crime within the territorial boundary of the Republic of Korea.

Article 3 (Crimes by Koreans outside Korea)

This Code shall apply to a Korean national who commits a crime outside the territorial boundary of the Republic of Korea.

Article 4 (Crimes by Aliens on board Korean Vessel, etc., outside Korea)

This Code shall apply to an alien who commits a crime on board a Korean vessel or a Korean aircraft outside the territorial boundary of the Republic of Korea.

Article 5 (Crimes by Aliens outside Korea)

This Code shall apply to an alien who commits any of the following crimes outside the territorial boundary of the Republic of Korea:

1. Crimes concerning insurrection;
2. Crimes concerning treason;
3. Crimes concerning the national flag;
4. Crimes concerning currency;
5. Crimes concerning securities, postage and revenue stamps;
6. Crimes specified in Articles 225 through 230 among crimes concerning documents; and
7. Crimes specified in Article 238 among crimes concerning seal.

Article 6 (Foreign Crimes against the Republic of Korea and Koreans outside Korea)

This Code shall apply to an alien who commits a crime, other than those specified in the preceding Article, against the Republic of Korea or its national outside the territorial boundary of the Republic of Korea, unless such act does not constitute a crime, or it is exempt from prosecution or execution of punishment under the *lex loci delictus*.

Article 8 (Application of General Provisions)

The provisions of the preceding Articles shall also apply to such crimes as are provided by other statutes unless provided otherwise by such statutes.

REPUBLIC OF MOLDOVA

Pursuant to article 6, paragraph 3 of the International Convention for the Suppression of Terrorist Bombings, the Republic of Moldova establishes its jurisdiction over the offences set forth in article 2 in cases provided for in article 6, paragraphs 1 and 2.

ROMANIA

"In accordance with Article 6, paragraph 3 of the Convention, Romania declares that it has established its jurisdiction for the offenses set forth in Article 2, in all cases stipulated by Article 6, paragraphs 1 and 2, in conformity with relevant provisions of its domestic law."

RUSSIAN FEDERATION

"The Russian Federation declares that in accordance with paragraph 3 of article 6 of the International Convention for the Suppression of Terrorist Bombings (hereinafter - the Convention) it has established its jurisdiction over the offences set forth in article 2 of the Convention in cases envisaged in paragraphs 1 and 2 of article 6 of the Convention."

SINGAPORE

"In accordance with Article 6, paragraph 3 of the Convention, the Republic of Singapore declares that it has established jurisdiction over offences set forth in Article 2 of the Convention in all the cases provided for in Article 6, paragraph 1, and Article 6, paragraph 2."

SUDAN

The Republic of the Sudan declares hereby that it has established its jurisdiction over crimes set out in article 2 of the Convention in accordance with situations and conditions as stipulated in article 6, paragraph 2.

SWEDEN

5 November 2002

"Pursuant to article 6 (3) of the International Convention for the Suppression of Terrorist Bombings, Sweden provides the following information on Swedish criminal jurisdiction. Rules on Swedish criminal jurisdiction are laid down in Chapter 2 Section 1-5 in the Swedish Penal Code. The provisions have the following wording:

Section 1

Crimes committed in this Realm shall be adjudged in accordance with Swedish law and by a Swedish court. The same applies when it is uncertain where the crime was committed but grounds exist for assuming that it was committed within the Realm.

Section 2

Crimes committed outside the Realm shall be adjudged according to Swedish law and by a Swedish court when the crime has been committed:

1. By a Swedish citizen or an alien domiciled in Sweden.
2. By an alien not domiciled in Sweden who, after having committed the crime, has become a Swedish citizen or has acquired domicile in the Realm or who is a Danish, Finnish, Icelandic or Norwegian citizen and is present in the Realm, or
3. By any other alien, who is present in the Realm, and the crime under Swedish law can result in imprisonment for more than six months.

The first paragraph shall not apply if the act is not subject to criminal responsibility under the law of the place where it was committed or if it was committed within an area not belonging to any state and, under Swedish law, the punishment for the act cannot be more severe than a fine.

In cases mentioned in this Section, a sanction may not be imposed which is more severe than the most severe punishment provided for the crime under the law in the place where it was committed.

Section 3

Even in cases other than those listed in Section 2, crimes committed outside the Realm shall be adjudged according to Swedish law and by a Swedish court.

1. if the crime was committed on board a Swedish vessel or aircraft, or was committed in the course of duty by the officer in charge or by a member of its crew,

2. if the crime was committed by a member of the armed force in an area in which a detachment of the armed forces was present, or if it was committed by some other person in such an area and the detachment was present for a purpose other than exercise,

3. if the crime was committed in the course of duty outside the Realm by a person employed in a foreign contingent of the Swedish armed forces,

3a. if the crime was committed in the course of duty outside the Realm by a policeman, custom officer or official employed at the coast guard, who performs boundless assignments according to an international agreement that Sweden has ratified,

4. if the crime committed was a crime against the Swedish nation, a Swedish municipal authority or other assembly, or against a Swedish public institution,

5. If the crime was committed in an area not belonging to any state and was directed against a Swedish citizen, a Swedish association or private institution, or against an alien domiciled in Sweden,

6. if the crime is hijacking, maritime or aircraft sabotage, airport sabotage, counterfeiting currency, an attempt to commit such crimes, a crime against international law, unlawful dealings with chemical weapons, unlawful dealings with mines or false or careless statement before an international court, or

7. if the least severe punishment prescribed for the crime in Swedish law is imprisonment for four years or more.

Section 3 a

Besides the cases described in Sections 1-3, crimes shall be adjudged according to Swedish law by a Swedish court in accordance with the provisions of the Act on International Collaboration concerning Proceedings in Criminal matters.

Section 4

A crime is deemed to have been committed where the criminal act was perpetrated and also where the crime was completed or in the case of an attempt, where the intended crime would have been completed.

Section 5

Prosecution for a crime committed within the Realm on a foreign vessel or aircraft by an alien, who was the officer in charge or member of its crew or otherwise travelled in it, against another alien or a foreign interest shall not be instituted without the authority of the Government or a person designated by the Government.

1. on a Swedish vessel or aircraft or by the officer in charge or some member of its crew in the course of duty,

2. by a member of the armed forces in an area in which a detachment of the armed forces was present,

3. in the course of duty outside the Realm by a person employed by a foreign contingent of the Swedish armed forces,

4. In the course of duty outside the Realm by a policeman, custom officer or official employed at the coast guard, who performs boundless assignments according to an international agreement that Sweden has ratified.

5. In Denmark, Finland, Iceland or Norway or on a vessel or aircraft in regular commerce between places situated in Sweden or one of the said states, or

6. By a Swedish, Danish, Finnish, Icelandic or Norwegian citizen against a Swedish interest."

SWITZERLAND

Pursuant to article 6, paragraph 3, of the International Convention for the Suppression of Terrorist Bombings, Switzerland establishes its jurisdiction over the offences set forth in article 2 in all the cases provided for in article 6, paragraph 2.

THAILAND

12 June 2007

"Pursuant to Article 6 paragraph 3 of the International Convention for the Suppression of Terrorist Bombings, the Government of the Kingdom of Thailand hereby notifies the Secretary-General of the criminal jurisdiction it has established in accordance with Chapter 2 of the Thai Penal Code on the Scope of Application as follows:

Section 4: Any person who commits an offence within the Kingdom shall be punished according to the law.

The commission of an offence in any Thai vessel or aeroplane shall be deemed as being committed within the Kingdom, irrespective of the place where such Thai vessel or aeroplane may be.

Section 5: Whenever any offence is even partially committed within the Kingdom, or the consequence of the commission of which, as intended by the offender, occurs within the Kingdom, or by the nature of the commission of which, the consequence resulting therefrom should occur within the Kingdom, or it could be foreseen that the consequence would occur within the Kingdom, it shall be deemed that such offence is committed within the Kingdom.

In case of preparation or attempt to commit any act provided by the law to be an offence, even though it is done outside the Kingdom, if the consequence of the doing of such act, when carried through to the stage of accomplishment of the offence, will occur within the Kingdom, it shall be deemed that the preparation or attempt to commit such offence is done within the Kingdom.

Section 6: Whenever an offence is committed within the Kingdom, or is deemed by this Code as being committed within the Kingdom, even though the act of the co-principal, a supporter or an instigator in the offence is done outside the Kingdom, it shall be deemed that the principal, supporter or instigator has committed the offence within the Kingdom.

Section 7: Any person who commits the following offences outside the Kingdom shall be punished in the Kingdom, namely:

(1) offences relating to the Security of the Kingdom as provided in Sections 107 to 129;

(1/1) offences relating to Terrorism as provided in Section 135/1, Section 135/2, Section 135/3 and Section 135/4;

(2) offences relating to Counterfeiting and Alteration as provided in Sections 240 to 249, Section 254, Section 256, Section 257 and Section 266 (3) and (4);

(2 bis) offences relating to Sexuality as provided in Section 282 and Section 283;

(3) offences relating to Robbery as provided in Section 339, and offences relating to Gang-Robbery as provided in Section 340; which is committed on the high seas.

Section 8: Any person who commits an offence outside the Kingdom shall be punished in the Kingdom, provided that:

(a) the offender is a Thai person, and the Government of the country where the offence has occurred or the injured person has requested for such punishment; or

(b) the offender is an alien, and the Thai Government or a Thai person is an injured person, and the injured person has requested for such punishment;

and, provided further that the offence committed by any of the following:

(1) offences relating to Causing Public Dangers as provided in Section 217, Section 218, Section 221 to 223 except the case relating to the first paragraph of Section 220, and Section 224, Section 226, Section 228 to 232, Section 237, and Section 233 to 236 only when it is the case to be punished according to Section 238;

(2) offences relating to Documents as provided in Section 264, Section 265, Section 266 (1) and (2), Section 268 except the case relating to Section 267 and Section 269;

(2/1) offence relating [to] the Electronic Card according to be prescribed by Section 269/1 to Section 269/7.

(3) offences relating to Sexuality as provided in Section 276, Section 280 and Section 285 only for the case relating to Section 276;

(4) offences against Life as provided in Section 288 to 290;

(5) offences relating to Bodily Harm as provided in Section 295 to 298;

(6) offences of Abandonment of Children, Sick or Aged Persons as provided in Section 306 to 308;

(7) offences against Liberty as provided in Section 309, Section 310, Sections 312 to 315, and Sections 317 to 320;

(8) offences of Theft and Snatching as provided in Sections 334 to 336;

(9) offences of Extortion, Blackmail, Robbery and Gang-Robbery as provided in Sections 337 to 340;

(10) offences of Cheating and Fraud as provided in Sections 341 to 344, Section 346 and Section 347;

(11) offences of Criminal Misappropriation as provided in Sections 352 to 354;

(12) offences of Receiving Stolen Property as provided in Section 357;

(13) offences of Mischief as provided in Sections 358 to 360."

UKRAINE

21 May 2002

"Ukraine exercises its jurisdiction over the offences set forth in article 2 of the Convention in cases provided for in paragraph 2 article 6 of the Convention."

URUGUAY

Notifies, by virtue of article 6, paragraph 3, of the Convention, that the authorities of the Eastern Republic of Uruguay exercise jurisdiction over the offences set forth in article 2, to which reference is made in article 6, paragraph 2. With regard to article 6, paragraph 2, subparagraphs (a) and (b), that jurisdiction is established in article 10 of the Penal Code (Act 9.155 of 4 December 1933) and, with regard to article 6, paragraph 2, subparagraph (e), in article 4 of the Aeronautical Code (Decree-Law 14.305 of 29 November 1974).

UZBEKISTAN

15 May 2000

The Republic of Uzbekistan has established its jurisdiction over the crimes set out in article 2 under all the conditions stipulated in article 6, paragraph 2, of the Convention.

VENEZUELA (BOLIVARIAN REPUBLIC OF)

Moreover, the Bolivarian Republic of Venezuela, having regard for article 6, paragraph 3, of the International Convention for the Suppression of Terrorist Bombings, declares that it has established jurisdiction under its domestic law over the offences committed in the situations and under the conditions envisaged in article 6, paragraph 2, of the Convention.

Notes:

¹ On 28 January 2008, the Government of Belgium notified the Secretary-General of his withdrawal of the reservation in respect of article 11 made upon ratification. The text of the reservation read as follows:

1. In exceptional circumstances, the Government of Belgium reserves the right to refuse extradition or mutual legal assistance in respect of any offence set forth in article 2 which it considers to be a political offence or as an offence connected with a political offence or as an offence inspired by political motives.

2. In cases where the preceding paragraph is applicable, Belgium recalls that it is bound by the general legal principle *aut dedere aut judicare*, pursuant to the rules governing the competence of its courts.

² On 13 November 2001, the Government of China notified the Secretary-General of the following:

In accordance with the provisions of Article 153 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China and Article 138 of the Basic Law of Macao Special Administrative Region of the People's Republic of China, the Government of the People's Republic of China decides that the International Convention for the Suppression of Terrorist Bombings shall apply to the Hong Kong Special

Administrative Region and Macao Special Administrative Region of the People's Republic of China.

³ With a territorial exclusion in respect of the Faroe Islands and Greenland.

⁴ See note 1 under "Montenegro" in the "Historical Information" section in the front matter of this volume.

⁵ For the Kingdom in Europe.

Subsequently, on 8 February 2005, the Government of the Netherlands informed the Secretary-General that the Convention will apply to Aruba with the following declaration:

"The Kingdom of the Netherlands understands Article 8, paragraph 1, of the International Convention for the Suppression of Terrorist Bombings to include the right of the competent judicial authorities to decide not to prosecute a person alleged to have committed such an offence, if, in the opinion of the competent judicial authorities grave considerations of procedural law indicate that effective prosecution will be impossible."

⁶ With a territorial exclusion with respect to Tokelau to the effect that: "...consistent with the constitutional status of Tokelau and taking into account the commitment of the Government of New Zealand to the development of self-

government for Tokelau through an act of self-determination under the Charter of the United Nations, this accession shall not extend to Tokelau unless and until a Declaration to this effect is lodged by the Government of New Zealand with the Depositary on the basis of appropriate consultations with that territory."

⁷ The Secretary-General received a communication with regard to the declaration made by the Government of Egypt upon ratification from the following Government on the date indicated hereinafter:

Canada (14 September 2006) :

"The Government of Canada has examined the declaration, described as a reservation, relating to article 19, paragraph 2 of the International Convention for the Suppression of Terrorist Bombings made by the Government of the Arab Republic of Egypt at the time of its ratification of the Convention.

The declaration appears to extend the scope of the application of the Convention to include the armed forces of a State, in the exercise of their duties, to the extent that those armed forces violate the rules and principles of international law. Such activities would otherwise be excluded from the application of the Convention by virtue of article 19, paragraph 2.

The Government of Canada considers the effect of the declaration to be a unilateral extension of the terms of the Convention by the Government of the Arab Republic of Egypt to apply only to the armed forces of the Arab Republic of Egypt in circumstances going beyond those required by the Convention. The Arab Republic of Egypt cannot by unilateral declaration extend the obligations of Canada under the Convention beyond those set out in the Convention. Canada does not consider the declaration made by the Government of the Arab Republic of Egypt to have any effect in respect of the obligations of Canada under the Convention or in respect of the application of the Convention to the armed forces of Canada.

The Government of Canada thus regards the Convention as entering into force between Canada and the Arab Republic of Egypt subject to a unilateral declaration made by the Government of the Arab Republic of Egypt, which applies only to the obligations of the Arab Republic of Egypt under the Convention and only in respect of the armed forces of the Arab Republic of Egypt."

Russian Federation (14 November 2006):

The Russian Side has considered the reservation to Article 19 (2) of the International Convention for the Suppression of Terrorist Bombings made by the Arab Republic of Egypt upon ratification of the Convention.

The objective of this reservation is to extend the scope of application of the Convention and to cover armed forces of the States Parties, if they violate "norms and principles of international law" in the exercise of their official duties.

The Russian side regards this reservation of Egypt as unilateral obligation of Egypt to apply the Convention to its own armed forces if they in the exercise of their official duties go beyond the scope of the norms and principles of international law.

The Russian side proceeds from the understanding that Egypt does not have right to unilaterally impose additional obligations on other Parties to the Convention without their explicit consent through formulating its reservation.

The Russian side does not recognize the extension of the Convention to include activities of armed forces of the States Parties except for Egypt, which according to Article 19 (2) are explicitly excluded from the scope of application of the Convention. Thus the Convention applies in relations between the Russian Federation and the Arab Republic of Egypt with the reservation of Egypt, which stipulates only obligations of Egypt and is applicable to its armed forces.

⁸ The Secretary-General received communications with regard to the declaration made by the Government of Pakistan upon accession, from the following Governments on the dates indicated hereinafter:

Republic of Moldova (6 October 2003):

"The Government of the Republic of Moldova has examined the declaration made by the Government of the Islamic Republic of Pakistan at the time of its accession to the International Convention for the Suppression of Terrorist Bombings 1997.

The Government of the Republic of Moldova considers that the declaration is, in fact, a reservation that seeks to limit the scope of the Convention on a unilateral basis and is therefore contrary to its object and purpose, namely the suppression of terrorist bombings, irrespective of where they take place and of who carries them out.

The declaration is furthermore contrary to the terms of Article 5 of the Convention, according to which States Parties commit themselves to "adopt such measures as may be necessary, including, where appropriate, domestic legislation, to ensure that criminal acts within the scope of this Convention...are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature and are punished by penalties consistent with their grave nature".

The Government of the Republic of Moldova recalls that, according to Article 19 (c) of the Vienna Convention on the Law of Treaties, a reservation incompatible with the object and purpose of the Convention shall not be permitted. It is in the common interest of States that treaties to which they have chosen to become parties are respected as to their object and purpose, by all parties, and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.

The Government of the Republic of Moldova therefore objects to the aforesaid reservation made by the Government of the Islamic Republic of Pakistan to the International Convention for the Suppression of Terrorist Bombings. This objection shall not preclude the entry into force of the Convention between the Republic of Moldova and the Islamic Republic of Pakistan. The Convention enters into force in its entirety between the two States, without Pakistan benefiting from its reservation."

Russian Federation (22 September 2003):

The Russian Federation has considered the declaration made by the Islamic Republic of Pakistan upon accession to the

International Convention for the Suppression of Terrorist Bombings, of 1997.

The Russian Federation takes the position that every State which has agreed to the binding nature of the provisions of the Convention must adopt such measures as may be necessary, pursuant to article 5, to ensure that criminal acts which, in accordance with article 2, are within the scope of the Convention, in particular where they are intended or calculated to provoke a state of terror in the general public or in a group of persons or particular persons, are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature and are punished by penalties consistent with their grave nature.

The Russian Federation notes that the realization of the right of peoples to self-determination must not conflict with other fundamental principles of international law, such as the principle of the settlement of international disputes by peaceful means, the principle of the territorial integrity of States, and the principle of respect for human rights and fundamental freedoms.

The Russian Federation believes that the declaration made by the Islamic Republic of Pakistan upon accession to the International Convention for the Suppression of Terrorist Bombings is incompatible with the object and purpose of the Convention. In the view of the Russian Federation, the declaration made by the Islamic Republic of Pakistan may jeopardize the fulfilment of the provisions of the Convention in relations between the Islamic Republic of Pakistan and other States Parties and thereby impede cooperation in combating acts of terrorist bombing. It is in the common interest of States to develop and strengthen cooperation in formulating and adopting effective practical measures to prevent terrorist acts and punish the perpetrators.

The Russian Federation, once again declaring its unequivocal condemnation of all acts, methods and practices of terrorism as criminal and unjustified, regardless of their motives and in all their forms and manifestations, wherever and by whomever they are perpetrated, calls upon the Islamic Republic of Pakistan to reconsider its position and withdraw the declaration.

Poland (3 February 2004):

"The Government of the Republic of Poland considers that the declaration made by the Government of the Islamic Republic of Pakistan at the time of its accession to the International Convention for the Suppression of Terrorist Bombings of 15 December 1997 is in fact a reservation that seeks to limit the scope of the Convention on a unilateral basis and which is contrary to its object and purpose, namely the suppression of terrorist bombings, irrespective of where they take place and of who carries them out.

The Government of the Republic of Poland further considers the declaration to be contrary to the terms of article 5 of the Convention, according to which each State Party commits itself to 'adopt such measures as may be necessary, including, where appropriate, domestic legislation, to ensure that criminal acts within the scope of this Convention (...) are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other

similar nature and are punished by penalties consistent with their grave nature'.

The Government of the Republic of Poland wishes to recall that, according to the customary international law as codified in the Vienna Convention on the Law of Treaties, a reservation incompatible with the object and purpose of the treaty shall not be permitted.

The Government of the Republic of Poland therefore objects to the aforesaid declaration made by the Government of the Islamic Republic of Pakistan to the International Convention for the Suppression of Terrorist Bombings.

This objection shall not, however, preclude the entry into force of the Convention between the Republic of Poland and the Islamic Republic of Pakistan."

Ireland (23 June 2006):

"The Government of Ireland have examined the declaration made by the Government of the Islamic Republic of Pakistan upon accession to the International Convention for the Suppression of Terrorist Bombings according to which the Islamic Republic of Pakistan considers that nothing in this Convention shall be applicable to struggles, including armed struggles, for the realisation of the right of self-determination launched against any alien or foreign occupation or domination.

The Government of Ireland are of the view that this declaration amounts to a reservation as its purpose is to unilaterally limit the scope of the Convention. The Government of Ireland are also of the view that this reservation is contrary to the object and purpose of the Convention, namely suppressing terrorist bombings, wherever and by whomever carried out.

The Government of Ireland further consider the declaration to be contrary to the terms of Article 5 of the Convention, according to which States Parties commit themselves to adopt such measures as may be necessary, including, where appropriate, domestic legislation, to ensure that criminal acts within the scope of this Convention are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or similar nature and are punished by penalties consistent with their grave nature.

The Government of Ireland recall that, according to customary international law as codified in the Vienna Convention on the Law of Treaties, reservations that are incompatible with the object and purpose of a convention are not permissible. It is in the common interest of States that treaties to which they have chosen to become party are respected as to their object and purpose and that States are prepared to undertake any legislative changes necessary to comply with their obligations under these treaties.

The Government of Ireland therefore object to the aforesaid reservation made by the Government of the Islamic Republic of Pakistan to the International Convention for the Suppression of Terrorist Bombings. This objection shall not preclude the entry into force of the Convention between Ireland and the Islamic Republic of Pakistan. The Convention enters into force between Ireland and the Islamic Republic of Pakistan, without the Islamic Republic of Pakistan benefiting from its reservation."