

**JOINT DECLARATION OF INTERVENTION
OF THE REPUBLIC OF AUSTRIA, THE CZECH REPUBLIC,
THE REPUBLIC OF FINLAND AND THE REPUBLIC OF SLOVENIA**

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31 July 2024

To the Registrar of the International Court of Justice, the undersigned being duly authorized by the Republic of Austria, the Czech Republic, the Republic of Finland and the Republic of Slovenia, respectively.

1. On behalf of the Republic of Austria (“Austria”), the Czech Republic (“Czechia”), the Republic of Finland (“Finland”) and the Republic of Slovenia (“Slovenia”) (together “the Declarants”), we have the honour to submit to the Court a Joint Declaration of Intervention pursuant to the right to intervene set out in Article 63, paragraph 2, of the Statute of the International Court of Justice (“Statute”), in the case concerning *Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation)*.

2. Article 82, paragraph 2, of the Rules of Court provides that a declaration of a intervention by which a State avails itself of the right conferred upon it by Article 63, paragraph 2, of the Statute “shall specify the case and convention to which it relates and shall contain:

- (a) particulars of the basis on which the declarant State considers itself a party to the convention;
- (b) identification of the particular provisions of the convention the construction of which it considers to be in question;
- (c) a statement of the construction of those provisions for which it contends;
- (d) a list of documents in support, which documents shall be attached.”

3. These requirements are addressed in sequence below.

I. The Declarants’ Right to Intervene

4. On 30 March 2022, the Registrar notified the Declarants, as parties to the 1948 Convention on the Prevention and Punishment of the Crime of Genocide (“Genocide Convention” or “Convention”), on the basis of Article 63, paragraph 1, of the Statute, that by Ukraine’s Application the Genocide Convention “is invoked both as a basis of the Court’s jurisdiction and the substantive basis of [Ukraine’s] claims on the merits.” The Registrar further specified that:

“[Ukraine] seeks to found the Court’s jurisdiction on the compromissory clause contained in Article IX of the Genocide Convention, asks the Court to declare that it has not committed a genocide as defined in Articles II and III of the Convention, and raises

questions concerning the scope of the duty to prevent and punish genocide under Article I of the Convention. It therefore appears that the construction of [the Genocide Convention] will be in question in this case.”¹

5. However, pursuant to Article 82, paragraph 6, of the Rules of Court, States can intervene whenever the construction of a convention to which they are parties is in question regardless of whether or not they were notified to this effect by the Registrar.

6. By the present Joint Declaration, the Declarants, as parties to the Genocide Convention, avail themselves of the right to intervene conferred upon them by Article 63, paragraph 2, of the Statute. The Declarants exercise this right in accordance with Article 82, paragraph 2, of the Rules of Court, by filing this Joint Declaration “as soon as possible and not later than the date fixed for the filing of the last written pleading”.

7. The Declarants further note that, according to the Court, “there is nothing in the Statute or the Rules preventing States from filing a joint declaration of intervention. While Article 63, paragraph 2, of the Statute and Article 82 of the Rules of Court refer to the right of a State to file a declaration of intervention, the use of the generic singular simply means that every State party to the relevant convention can intervene in the proceedings, but it does not prohibit the filing of a joint declaration by those States.”²

8. In accordance with Article 63 of the Statute, the Declarants limit their intervention to matters of construction of the Genocide Convention and the Statute in the context of the present case.

9. If this intervention is admitted, the Declarants request to be furnished with copies of the Parties’ pleadings and documents annexed thereto and reserve their right to submit their written observations on the subject-matter of the intervention pursuant to Article 86, paragraph 1, of the Rules of Court.

10. By this intervention, the Declarants do not seek to become Parties to the case to which this Declaration of Intervention relates. However, the Declarants accept that by intervening in this case, the construction of the Genocide Convention and Statute given by the judgment will be equally binding upon them.

11. Finally, the Declarants hereby express their willingness to assist the Court in grouping their intervention together with like-minded intervening States at future stages of the proceedings, should the Court consider this conducive for the sound and expeditious administration of justice.

¹ Letter from the Registrar of the International Court of Justice to the States Parties to the Genocide Convention, n°156413, 30 March 2022.

² *Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation), Admissibility of the Declarations of Intervention, Order of 5 June 2023*, para. 88.

II. Case and Convention to which this Joint Declaration relates

12. On 26 February 2022, Ukraine instituted proceedings against the Russian Federation under Article IX of the Genocide Convention.³ The Application instituting proceedings was accompanied by a request for the indication of provisional measures in accordance with Article 41 of the Statute.⁴

13. Ukraine states that its Application “concerns a dispute ... relating to the interpretation, application and fulfilment of the [Genocide Convention]”.⁵ Specifically, it contends that

“... the Russian Federation has falsely claimed that acts of genocide have occurred in the Luhansk and Donetsk oblasts of Ukraine, and on that basis recognized the so-called ‘Donetsk People’s Republic’ and ‘Luhansk People’s Republic’, and then declared and implemented a ‘special military operation’ against Ukraine with the express purpose of preventing and punishing purported acts of genocide that have no basis in fact.”⁶

14. On 16 March 2022 the Court indicated the following provisional measures:

- (1) The Russian Federation shall immediately suspend the military operation that it commenced on 24 February 2022 in the territory of Ukraine;
- (2) The Russian Federation shall ensure that any military or irregular armed units which may be directed or supported by it, as well as any organizations and person which may be subject to its control or direction, take no steps in furtherance of the military operations referred to in points (1) above; and
- (3) Both Parties shall refrain from any action which might aggravate or extend the dispute before the Court or make it more difficult to resolve.⁷

15. Between 21 July 2022 and 15 December 2022, 33 States filed declarations of intervention under Article 63, paragraph 2, of the Statute, including the Declarants. By an Order dated 5 June 2023, the Court decided that the declarations of intervention under Article 63 of the Statute submitted by 32 States, including those submitted by the Declarants, were admissible at the preliminary objections stage of the proceedings in so far as they concerned the construction of

³ *Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation)*, Application instituting proceedings of 26 February 2022 (“Application”).

⁴ *Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation)*, Request for the indication of provisional measures submitted by Ukraine, 26 February 2022 (“Provisional Measures Request”).

⁵ Application, para. 2.

⁶ Ibid.

⁷ *Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation)*, *Provisional Measures, Order of 16 March 2022*, I.C.J. Reports 2022, pp. 230-1, para. 86.

Article IX and other provisions of the Genocide Convention that are relevant for the determination of the jurisdiction of the Court.⁸

16. In this regard, the Registrar informed the Declarants by letter dated 18 June 2024 that States which filed declarations of intervention for both the preliminary objections and the merits stage, are invited to indicate by 2 August 2024 whether they maintain their declarations of intervention and to adjust their declarations of intervention, while States, which had only intervened in the preliminary objections stage, are invited to file new declarations of intervention until 2 August 2024.⁹

17. In the Judgment rendered on 2 February 2024, the Court concluded that it has jurisdiction, on the basis of Article IX of the Genocide Convention, to entertain submission (b) in paragraph 178 of the Memorial of Ukraine, whereby Ukraine requests the Court to

“[a]djudge and declare that there is no credible evidence that Ukraine is responsible for committing genocide in violation of the Genocide Convention in the Donetsk and Luhansk oblasts of Ukraine”,

and that this submission is admissible.¹⁰

18. Moreover, in its judgment of 2 February 2024 the Court did not reject its jurisdiction to entertain the request by Ukraine to

“[a]djudge and declare that, by failing to immediately suspend the military operations that it commenced on 24 February 2022 in the territory of Ukraine, and by failing to ensure that any military or irregular armed units which may be directed or supported by it, as well as any organizations and persons which may be subject to its control or direction, take no steps in furtherance of these military operations, the Russian Federation violated the independent obligations imposed on it by the Order indicating provisional measures issued by the Court of 16 March 2022”.¹¹

19. These observations make plain that the construction of the Genocide Convention and the Statute of the Court form a central part of the case at hand. As parties to the Genocide Convention and the Statute, the Declarants are entitled to intervene and present their construction of these conventions under Article 63, paragraph 2, of the Statute.

⁸ *Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation), Admissibility of the Declarations of Intervention, Order of 5 June 2023*, para. 102.

⁹ Letter from the Registrar of the International Court of Justice, n°162412, 18 June 2024.

¹⁰ *Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation: 32 States intervening), Preliminary Objections, Judgment of 2 February 2024*, para. 151.

¹¹ *Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation), Memorial submitted by Ukraine, 1 July 2022*, pp. 106-7, para. 178 (e) (“Memorial”); see also *ibid*,

III. Basis on which the Declarants are Parties to the Genocide Convention and the Statute

20. Pursuant to Article 93, paragraph 1, of the Charter of the United Nations (“UN Charter”), all Members of the United Nations (“UN”) are *ipso facto* parties to the Statute of the Court.

21. In accordance with Article 4 of the UN Charter, the Republic of Austria was admitted to membership in the UN on 14 December 1955, the Czech Republic on 19 January 1993, the Republic of Finland on 14 December 1955 and the Republic of Slovenia on 22 May 1992 respectively.¹²

22. On 19 March 1958, Austria deposited its instrument of accession to the Genocide Convention with the Secretary-General of the UN in accordance with Article XI of the Convention.¹³ Upon that instrument becoming effective on 17 June 1958, Austria became a party to the Genocide Convention pursuant to Article XIII of the Convention.

23. Czechoslovakia had signed and ratified the Genocide Convention on 28 December 1949 and 21 December 1950, respectively. Upon the dissolution of Czechoslovakia, the Government of Czechia deposited its notification of general succession to all UN multilateral treaties entered into by Czechoslovakia, including the Genocide Convention, with the Secretary-General on 16 February 1993. Czechia thereby became a party to the Genocide Convention on 22 February 1993, the day when the notification was received by the Secretary-General of the UN.¹⁴

24. On 18 December 1959 Finland deposited its instrument of accession to the Genocide Convention with the Secretary-General of the UN in accordance with Article XI of the Convention. Upon that instrument becoming effective on 17 March 1960, Finland became a party to the Genocide Convention pursuant to Article XIII of the Convention.¹⁵

25. Slovenia succeeded the former Socialist Federal Republic of Yugoslavia as of 25 June 1991 as a party to the Genocide Convention. The declaration on the succession of the UN conventions was deposited with the UN Secretariat on 6 July 1992. The UN Secretary-General confirmed the succession of Slovenia to the Genocide Convention in a note dated 22 October 1992, with the effect of the declaration as of 25 June 1991.¹⁶

IV. Provisions of the Genocide Convention and the Statute in Question in the Proceedings

26. According to the letter of the Registrar of 30 March 2022, Articles I, II, III and IX of the Genocide Convention are in question in the present proceedings. Since the Declarants already intervened in the preliminary objections phase of these proceedings regarding the construction

¹² See Annex.

¹³ See *ibid.*

¹⁴ See *ibid.*

¹⁵ See *ibid.*

¹⁶ See *ibid.*

of Article IX, the present Joint Declaration will address Articles I and II of the Genocide Convention.

27. Additionally, in view of the submissions of Ukraine contained in its Memorial alleging the Russian Federation's continuing violation of the Order of Provisional Measures of 16 March 2022¹⁷, it is anticipated that the present proceedings will involve the construction of the Statute in relation to the binding force of provisional measures indicated by the Court and particularly its temporal scope. Accordingly, in the present Joint Declaration, the Declarants will also submit their views on the construction of Article 41 of the Statute.

V. Statement on the Construction of Articles I and II of the Genocide Convention

28. The Declarants wish to address the construction of Articles I and II of the Genocide Convention in the specific context of the present case and in line with the rule of interpretation stated in Article 31, paragraph 1, of the 1969 Vienna Convention of the Law of Treaties ("VCLT"): "a treaty shall be interpreted in good faith in accordance with the ordinary meaning to be given to the terms of the treaty in their context and in the light of its object and purpose."

29. Although the VCLT is not directly applicable *ratione temporis* in the present case, it is well established that Article 31 of the VCLT reflects customary international law.¹⁸ Moreover, the Court itself has referred to the customary rule codified in Article 31 of the VCLT when interpreting its own Statute.¹⁹

1. Article I of the Genocide Convention

30. Article I of the Genocide Convention reads as follows:

"The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish."

31. Article I contains three different obligations: (1) the obligation not to commit genocide, (2) the duty to prevent and (3) the duty to punish genocide. Accordingly, the key terms of Article I, which deserve a particular interpretation are "crime under international law", "prevent" and "punish". These terms will be examined separately since different obligations result therefrom.

32. While the confirmation of genocide as a "crime under international law" does not expressly oblige States not to commit genocide, the Court confirmed that, by virtue of Article I, States

¹⁷ See Memorial, para. 178(e) and (g).

¹⁸ See, e.g., *Arbitral Award of 3 October 1899 (Guyana v. Venezuela)*, *Jurisdiction of the Court*, *Judgment*, *I.C.J. Reports 2020*, p. 475, para. 70.

¹⁹ See, e.g., *LaGrand (Germany v. United States of America)*, *Judgement*, *I.C.J. Reports 2001*, p. 501, para. 99.

“are bound not to commit genocide, through the actions of their organs or persons or groups whose acts are attributable to them.”²⁰

33. In contrast to the first obligation not to commit genocide, the other two obligations resulting from Article I presuppose that the acts constituting genocide are not attributable to the State. However, as the Court noted, “[i]t is perfectly possible for a State to incur responsibility at once for an act of genocide [...] committed by a person or organ whose conduct is attributable to it, and for the breach by the State of its obligation to punish the perpetrator of the act”.²¹

34. The undertaking expressed in Article I “to prevent” genocide requires active conduct with a view to preclude the occurrence of a certain result, namely the commission by other persons or entities of acts of genocide and requires States parties to “employ all means reasonably available to them, so as to prevent genocide so far as possible”.²² As stated by this Court, the obligation to prevent is an obligation of conduct, and not of result and requires States parties to act with “due diligence”.²³

35. The obligation to prevent with due diligence applies differently to States depending on their “capacity to influence effectively the action of persons likely to commit, or already committing, genocide.”²⁴ In any event, a State may only act pursuant to the duty to prevent within the limits permitted by international law.²⁵

36. Article I requires each State party to the Convention to assess whether genocide is being committed or a serious risk of genocide exists prior to qualifying a situation as genocide and taking action pursuant to the duty to prevent.²⁶ This duty must be carried out in good faith pursuant to Article 26 of the VCLT and in accordance with the required standard of due diligence.

37. As the Court has observed, the principle of good faith as a well-established principle of international law set forth in Article 2, paragraph 2, of the UN Charter, as well as Articles 26 and 31 of the VCLT “obliges the Parties to apply [a treaty] in a reasonable way and in such a manner that its purpose can be realized.”²⁷ Put differently, the obligation to interpret in good faith serves as a safeguard against any misuse of the terms of the treaty. In this sense, the principle of good faith constitutes the positive side of the prohibition of abuse of rights, so that a bad faith interpretation amounts to an abusive interpretation.²⁸

²⁰ *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, Judgment, I.C.J. Reports 2007, p. 114, para. 167.

²¹ Ibid., p. 201, para. 383

²² Ibid., p. 221, para. 430.

²³ Ibid.

²⁴ Ibid.

²⁵ Ibid.

²⁶ Ibid., para. 431.

²⁷ *Gabčíkovo-Nagymaros Project (Hungary/Slovakia)*, Judgment, I.C.J. Reports 1997, p. 79, para. 142.

²⁸ WTO, *United States-Import Prohibition of Certain Shrimp and Shrimp Products*, WT/DS58/AB/R, Report of the Appellate Body of 12 October 1998, para. 158.

38. Importantly, the UN Human Rights Council called upon all States, “in order to deter future occurrences of genocide, to cooperate, including through the United Nations system, in strengthening appropriate collaboration between existing mechanisms that contribute to the early detection and prevention of massive, serious and systematic violations of human rights that, if not halted, could lead to genocide”.²⁹ It therefore constitutes good practice to rely on the results of independent investigations under UN auspices³⁰ before qualifying a situation as genocide.

39. The correct construction of Article I is hence that a State is under a due diligence obligation to gather such evidence from independent sources, where they exist, before alleging that another State party of the Genocide Convention has committed genocide. Moreover, there is no right or even obligation under the Convention to take action to prevent genocide, nor a right to take action to bring to an end another State’s alleged violation, when there is no reasonable basis to find that there is a genocide or a serious risk of genocide. In fact, a State party fails to interpret, apply and fulfil the Genocide Convention in good faith if its accusations of genocide, and any ensuing actions with the stated purpose of preventing such alleged genocide, are not objectively supported by any factual and legal foundation.

40. As regards the punishment of genocide, the term “punish” relates to the criminalization of individuals and necessarily presupposes that the State has included this crime into its criminal law system pursuant to Article V of the Convention and possesses the necessary jurisdiction.

41. The Court has attached “a purely humanitarian and civilizing purpose”³¹ to the Convention, whose preamble also states the intention “to liberate mankind from such an odious scourge”. The application of this purpose to the duty to punish endows this obligation with a preventive effect. In this regard, the penalties must be sufficiently deterrent to achieve this effect.³²

42. The duty to punish in Article I must be read together with its context, particularly Article IV of the Genocide Convention. As this Court confirmed, “Article IV [of the Genocide Convention] only obliges the Contracting Parties to institute and exercise territorial criminal jurisdiction”.³³ Thus, in contrast to the duty to prevent, the duty to punish only relates to acts committed within a State’s territory or jurisdiction.³⁴

²⁹ Human Rights Council, Resolution 37/26, “Prevention of genocide”, 23 March 2018, UN Doc A/HRC/RES/37/26, para. 9.

³⁰ See for example the reliance of The Gambia on the reports of the Independent International Fact-Finding Mission on Myanmar established by the UN Human Rights Council before bringing a case to the Court; for details see *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (The Gambia v. Myanmar)*, *Preliminary Objections, Judgment*, *I.C.J. Reports 2022*, pp. 502-4, paras. 65-69.

³¹ *Reservations to the Convention on Genocide, Advisory Opinion*, *I.C.J. Reports 1951*, p. 23.

³² *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, *Judgment*, *I.C.J. Reports 2007*, p. 219, para. 426.

³³ *Ibid.* pp. 226-227, para. 442.

³⁴ *Cf. ibid.*

2. Article II of the Genocide Convention

43. Article II of the Genocide Convention reads as follows:

“In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group.”

44. Article II defines the crime of genocide. The elements of genocide are already well-established in the case law of the Court. In particular, there is a requirement to establish both genocidal action (*actus reus*) and a (specific) genocidal intent (*mens rea*) in addition to the mental elements present in the acts listed in Article II.³⁵

45. Genocidal intent, often referred to as specific intent (*dolus specialis*), is considered the intention to destroy, in whole or in part, the group to which the victims belong. It is to be distinguished from other motives or reasons the perpetrator may have. It is not enough that the members of the group are targeted because they belong to a protected group, as this might only evidence the perpetrator’s discriminatory intent. Additionally, the fact that civilian casualties occurred during the course of armed conflict is not *per se* evidence of genocidal action or genocidal intent. In this regard, great care must be taken in finding in the facts a sufficiently clear manifestation of the intent to destroy, in whole or in part, a protected group.³⁶

46. Where direct evidence for specific intent is absent, the Court has determined that “in order to infer the existence of *dolus specialis* from a pattern of conduct, it is necessary and sufficient that this is the only inference that could reasonably be drawn from the acts in question”.³⁷

47. Regarding the standard of proof, “[t]he Court requires that it be fully convinced that allegations made in the proceedings, that the crime of genocide or the other acts enumerated in Article III have been committed, have been clearly established”.³⁸

48. While pursuant to the general rule it is for the party which alleges a fact in support of its claims to prove the existence of that fact³⁹, the burden of proof varies according the type of facts at issue. In this regard, this Court stressed that it would be wrong to regard this general

³⁵ Ibid., pp. 121-122, paras. 186-189.

³⁶ Ibid.

³⁷ *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Croatia v. Serbia), Judgment, I.C.J. Reports 2015*, p. 67, para. 148.

³⁸ *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro), Judgment, I.C.J. Reports 2007*, p. 219, p. 129, para. 209.

³⁹ *Pulp Mills on the River Uruguay (Argentina v. Uruguay), I.C.J. Reports 2010 (I)*, p. 71, para. 162.

rule as an absolute one, to be applied in all circumstances, and confirmed that “the determination of the burden of proof is in reality dependent on the subject-matter and the nature of the dispute brought before the Court; it varies according to the type of facts which it is necessary to establish for the purposes of the decision of the case.”⁴⁰

49. Particularly, the Court held that it cannot as a general rule be demanded of the Applicant that it prove the “negative” fact, i.e., the absence of a fact, which it is asserting, but has required the Respondent to produce evidence and imposed the burden of proof on both Parties.⁴¹ This rationale is also relevant in situations where an Applicant is falsely accused of committing genocide and seeks to prove a “negative” fact, i.e., the absence of the alleged genocide.

VI. Statement on the Construction of Article 41 of the Statute

50. Article 41 of the Statute reads as follows:

“(1) The Court shall have the power to indicate, if it considers that circumstances so require, any provisional measures which ought to be taken to preserve the respective rights of either party.

(2) Pending the final decision, notice of the measures suggested shall forthwith be given to the parties and to the Security Council.”

51. It is undisputed and confirmed by its jurisprudence that provisional measures indicated by the Court constitute binding obligations under international law whose breach engages the international responsibility of the defaulting party.⁴² Accordingly, it is standard practice of the Court to assess compliance with its orders on provisional measures in the merits phase of proceedings.⁴³

52. Orders indicating provisional measures create separate legal obligations which “bind the parties independently of the factual or legal situation which the provisional measure in question aims to preserve.”⁴⁴ Therefore, provisional measures indicated under Article 41 of the Statute

⁴⁰ *Ahmadou Sadio Diallo (Republic of Guinea v. Democratic Republic of the Congo)*, Merits, Judgment, I.C.J. Reports 2010, p. 660, para. 54.

⁴¹ See *ibid.*, paras 54-56.

⁴² *LaGrand (Germany v. United States of America)*, Judgment, I.C.J. Reports 2001, p. 506, para. 109.

⁴³ See, e.g., *ibid.*, paras 110-16; *Land and Maritime Boundary between Cameroon and Nigeria (Cameroon v. Nigeria: Equatorial Guinea intervening)*, Judgment, I.C.J. Reports 2002, pp. 452-53, paras. 320-22; *Armed Activities on the Territory of the Congo (Democratic Republic of the Congo v. Uganda)*, Judgment, I.C.J. Reports 2005, pp. 258-59, paras. 262-64; *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, Judgment, I.C.J. Reports 2007, pp. 230-31, paras. 451-458; *Certain Activities Carried Out by Nicaragua in the Border Area (Costa Rica v. Nicaragua) and Construction of a Road in Costa Rica along the San Juan River (Nicaragua v. Costa Rica)*, Judgment, I.C.J. Reports 2015, pp. 712-14, paras. 121-29.

⁴⁴ *Application of the International Convention for the Suppression of Financing of Terrorism and of the International Convention on the Elimination of All Forms of Racial Discrimination (Ukraine v. Russian Federation)*, Judgment of 31 January 2024, p. 110, para. 391; *Certain Activities Carried Out by Nicaragua in the*

create legal effects until the termination of the principal proceedings, regardless of the reason for such a termination, including for the lack of jurisdiction.⁴⁵ This is clearly indicated in the wording of Article 41, for instance, by employing the terms “pending the final decision”.

53. Therefore, even if the Court were to decline jurisdiction over a claim which formed the basis for the indication of certain provisional measures, such interim measures remain in force and binding until they are revoked or modified by the Court or the final decision in the respective case is rendered, i.e., the judgment in the merits.

54. This view is supported by Article 76 of the Rules of Court, which foresees the possibility of the revocation or modification of a decision indicating provisional measures either by request of a Party or *proprio motu* by the Court. Thus, in the absence of any such decision by the Court, an order on the indication of provisional measures remains fully in force pending final decision in the respective case.⁴⁶

55. Moreover, any revocation or modification of an order on provisional measures pursuant to Article 76 of the Rules of Court would not retroactively deprive the provisional measures of their legal effects. Rather, any modification or revocation only applies *ex nunc*, i.e., only from the point in time when the decision on the revocation or modification of provisional measures was rendered.⁴⁷

56. In conclusion, pursuant to Article 41 of the Statute, any provisional measures indicated by the Court are binding and remain fully in effect until the termination of the principal proceedings absent any decision on their revocation or modification pursuant to Article 76 of the Rules of Court. A breach of such provisional measures engages the international responsibility of the defaulting Party.

VII. Documents in Support of this Joint Declaration of Intervention

57. The following is a list of documents in support of this Joint Declaration, which documents are attached hereto:

- (1) Letter from the Registrar of the International Court of Justice to the States Parties to the Genocide Convention, n°156413, 30 March 2022;
- (2) Letter from the Registrar of the International Court of Justice, n°162412, 18 June 2024;

Border Area (Costa Rica v. Nicaragua) and Construction of a Road in Costa Rica along the San Juan River (Nicaragua v. Costa Rica), Judgment, I.C.J. Reports 2015 (II), p. 665, para. 129.

⁴⁵ Cf. *Fisheries Jurisdiction (United Kingdom v. Iceland)*, Interim Protection, Order of 12 July 1973, I.C.J. Reports 1973, p. 304; *Fisheries Jurisdiction (Germany v. Iceland)*, Interim Protection, Order of 12 July 1973, I.C.J. Reports 1973, p. 315.

⁴⁶ See *ibid.*

⁴⁷ Cf. *Anglo-Iranian Oil Co. (United Kingdom v. Iran)*, Preliminary Objection, Judgment, I.C.J. Reports, p. 114; *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Georgia v. Russian Federation)*, Preliminary Objections, Judgment, I.C.J. Reports 2011, p.140, para. 186.

- (3) Instrument of Accession of the Republic of Austria to the Convention on the Prevention and Punishment of the Crime of Genocide;
- (4) UN General Assembly Resolution 995 (X) of 14 December 1955 on the Admission of the Republic of Austria and the Republic of Finland to the UN;
- (5) Notification by the Secretary-General of the deposit by Czechoslovakia of the instrument of ratification of the Convention on the Prevention and Punishment of the Crime of Genocide;
- (6) Notification by the Secretary-General of the decision of the Government of Czechoslovakia to withdraw the reservation to Article IX of the Convention on the Prevention and Punishment of the Crime of Genocide;
- (7) Letter dated 16 February 1993, received by the Secretary-General on 22 February 1993, notifying succession of the Czech Republic in respect of multilateral treaties deposited with the Secretary-General and listed in the attachment to the letter;
- (8) UN General Assembly Resolution 47/221 of 19 January 1993 on the Admission of the Czech Republic to the UN;
- (9) Instrument of Accession of the Republic of Finland to the Convention on the Prevention and Punishment of the Crime of Genocide;
- (10) Declaration deposited on 6 July 1992 on the Succession of the UN Conventions by the Government of the Republic of Slovenia;
- (11) UN General Assembly Resolution 46/236 of 22 May 1992 on the Admission of the Republic of Slovenia to the UN.

VIII. Conclusion

58. For the reasons set out in this Joint Declaration, the Declarants avail themselves to the right conferred upon them by Article 63 paragraph 2 of the Statute to intervene in the proceedings instituted by Ukraine against the Russian Federation. The Declarants respectfully request the Court to declare this Joint Declaration of Intervention admissible.

59. The Declarants reserve the right to amend or supplement this Joint Declaration in the course of written and oral observations.

60. The Government of Austria has appointed the undersigned, Ambassador Dr. Konrad Bühler, as Co-Agent for purposes of the present Joint Declaration of Intervention.

61. The Government of Czechia has appointed the undersigned, Director Dr. Emil Ruffer, as Agent for purposes of the present Joint Declaration of Intervention.

62. The Government of Finland has appointed the undersigned, Ambassador Ilkka-Pekka Similä as Agent for purposes of the present Joint Declaration of Intervention.

63. The Government of Slovenia has appointed the undersigned, Ambassador Jožef Drofenik, as Co-Agent for purposes of the present Joint Declaration of Intervention.

64. It is requested that all communications in this case be sent to the following addresses:

Embassy of the Republic of Austria
Van Alkemadelaan 342
2597 AS Den Haag
Netherlands
den-haag-ob@bmeia.gv.at;
abti5@bmeia.gv.at

Embassy of the Czech Republic
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For the Republic of Austria

Konrad Bühler

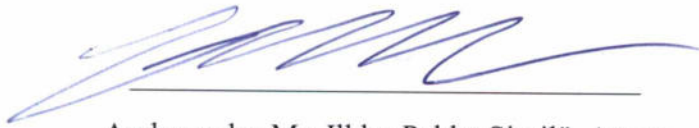
Ambassador Dr. Konrad Bühler, Co-Agent

For the Czech Republic



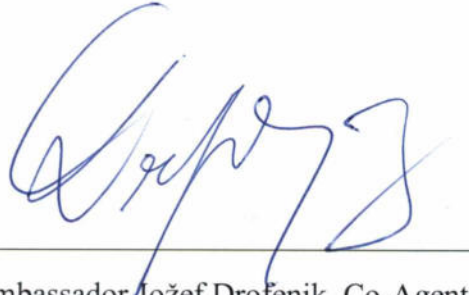
Director Dr. Emil Ruffer, Agent

For the Republic of Finland



Ambassador Mr. Ilkka-Pekka Similä, Agent

For the Republic of Slovenia

A handwritten signature in blue ink, appearing to be 'Drofenik', written over a horizontal line.

Ambassador Jožef Drofenik, Co-Agent

ANNEX



156413

30 March 2022

Excellency,

I have the honour to refer to my letter (No. 156253) dated 2 March 2022 informing your Government that, on 26 February 2022, Ukraine filed in the Registry of the Court an Application instituting proceedings against the Republic of the Russian Federation in the case concerning Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation). A copy of the Application was appended to that letter. The text of the Application is also available on the website of the Court (www.icj-cij.org).

Article 63, paragraph 1, of the Statute of the Court provides that:

[w]henever the construction of a convention to which States other than those concerned in the case are parties is in question, the Registrar shall notify all such States forthwith”.

Further, under Article 43, paragraph 1, of the Rules of Court:

“Whenever the construction of a convention to which States other than those concerned in the case are parties may be in question within the meaning of Article 63, paragraph 1, of the Statute, the Court shall consider what directions shall be given to the Registrar in the matter.”

On the instructions of the Court, given in accordance with the said provision of the Rules of Court, I have the honour to notify your Government of the following.

In the above-mentioned Application, the 1948 Convention on the Prevention and Punishment of the Crime of Genocide (hereinafter the “Genocide Convention”) is invoked both as a basis of the Court’s jurisdiction and as a substantive basis of the Applicant’s claims on the merits. In particular, the Applicant seeks to found the Court’s jurisdiction on the compromissory clause contained in Article IX of the Genocide Convention, asks the Court to declare that it has not committed a genocide as defined in Articles II and III of the Convention, and raises questions concerning the scope of the duty to prevent and punish genocide under Article I of the Convention. It therefore appears that the construction of this instrument will be in question in the case.

./.

[Letter to the States parties to the Genocide Convention
(except Ukraine and the Russian Federation)]

Your country is included in the list of parties to the Genocide Convention. The present letter should accordingly be regarded as the notification contemplated by Article 63, paragraph 1, of the Statute. I would add that this notification in no way prejudices any question of the possible application of Article 63, paragraph 2, of the Statute, which the Court may later be called upon to determine in this case.

Accept, Excellency, the assurances of my highest consideration.

A handwritten signature in black ink, appearing to read 'P. Gautier', with a large, sweeping initial 'P'.

Philippe Gautier
Registrar

By email only

162412

18 June 2024

Sir,

With reference to the case concerning *Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation)*, I have the honour to recall that by its Order dated 5 June 2023, the Court decided that the declarations of intervention under Article 63 of the Statute submitted by 32 States (Australia, Austria, Belgium, Bulgaria, Canada and the Netherlands (jointly), Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, New Zealand, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the United Kingdom) were admissible at the preliminary objections stage of the proceedings in so far as they concerned the construction of Article IX and other provisions of the Genocide Convention that are relevant for the determination of the jurisdiction of the Court. The Court further decided that the declaration of intervention under Article 63 of the Statute submitted by the United States was inadmissible in so far as it concerned the preliminary objections stage of the proceedings. I also recall that by its Judgment dated 2 February 2024, the Court found that it had jurisdiction, on the basis of Article IX of the Genocide Convention, to entertain submission (b) at paragraph 178 of the Memorial of Ukraine, whereby Ukraine requested the Court to “[a]djudge and declare that there is no credible evidence that Ukraine is responsible for committing genocide in violation of the Genocide Convention in the Donetsk and Luhansk oblasts of Ukraine”, and that this submission was admissible. In light of the fact that the case has now proceeded to the merits, I have the honour to inform you of the following.

./.

Mr Helmut Tichy
Agent of the Republic of Austria
before the International Court of Justice
Embassy of Austria
The Hague

cc: Mr Konrad Bühler
Co-Agent of the Republic of Austria
before the International Court of Justice
Embassy of Austria
The Hague

Email: den-haag-ob@bmeia.gv.at
katharina.kofler@bmeia.gv.at

- States which sought to intervene at the preliminary objections stage and at the merits stage are invited to indicate, by 2 August 2024, whether they maintain their declarations of intervention. If deemed necessary, they may adjust by the same date their declarations of intervention in light of the Judgment of 2 February 2024.
- States which only sought to intervene at the preliminary objections stage, but which now wish to intervene at the merits stage should file a new declaration of intervention by 2 August 2024.
- Pursuant to Article 83, paragraph 1, of its Rules, the Court will then invite the Parties to file written observations on the admissibility of the declarations of intervention at the merits stage. If one of the Parties objects to the admissibility of the declarations of intervention, there will be a further round of written observations, in accordance with Article 84, paragraph 2, of the Rules. Thereafter, the Court will decide on the admissibility of the declarations of intervention at the merits stage.

Accept, Sir, the assurances of my highest consideration.



Philippe Gautier
Registrar



Nachdem die am 9. Dezember 1948 von der Generalversammlung der Vereinten Nationen einstimmig genehmigte Konvention über die Verhütung und Bestrafung des Völkermordes, welche also lautet:

CONVENTION ON THE PREVENTION AND PUNISHMENT OF THE CRIME OF GENOCIDE

The Contracting Parties

Having considered the declaration made by the General Assembly of the United Nations in its resolution 96 (I) dated 11 December 1946 that genocide is a crime under international law, contrary to the spirit and aims of the United Nations and condemned by the civilized world;

Recognizing that at all periods of history genocide has inflicted great losses on humanity; and

Being convinced that, in order to liberate mankind from such an odious scourge, international co-operation is required,

Hereby agree as hereinafter provided:

Article I

The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish.

Article II

In the present Convention, genocide means any of the

CONVENTION POUR LA PRÉVENTION ET LA RÉPRESSION DU CRIME DE GÉNOCIDE

Les Parties Contractantes,

Considérant que l'Assemblée générale de l'Organisation des Nations Unies, par sa résolution 96 (I) en date du 11 décembre 1946, a déclaré que le génocide est un crime du droit des gens, en contradiction avec l'esprit et les fins des Nations Unies et que le monde civilisé condamne;

Reconnaissant qu'à toutes les périodes de l'histoire le génocide a infligé de grandes pertes à l'humanité;

Convaincues que, pour libérer l'humanité d'un fléau aussi odieux, la coopération internationale est nécessaire;

Conviennent de ce qui suit:

Article premier

Les Parties contractantes confirment que le génocide, qu'il soit commis en temps de paix ou en temps de guerre, est un crime du droit des gens, qu'elles s'engagent à prévenir et à punir.

Article II

Dans la présente Convention, le génocide s'entend de l'un

(Übersetzung.)

KONVENTION ÜBER DIE VERHÜTUNG UND BESTRAFUNG DES VÖLKERMORDES

Nach Erwägung der Erklärung, die von der Generalversammlung der Vereinten Nationen in ihrer Resolution 96 (I) vom 11. Dezember 1946 abgegeben wurde, daß Völkermord ein Verbrechen nach Völkerrecht ist, das dem Geist und den Zielen der Vereinten Nationen zuwiderläuft und von der zivilisierten Welt verurteilt wird,

In Anerkennung der Tatsache, daß der Völkermord der Menschheit in allen Zeiten der Geschichte große Verluste zugefügt hat, und

In der Überzeugung, daß zur Befreiung der Menschheit von einer solch verabscheuungswürdigen Geißel internationale Zusammenarbeit erforderlich ist,

sind die Vertragschließenden Parteien hiemit wie folgt übereingekommen:

Artikel I

Die Vertragschließenden Parteien bestätigen, daß Völkermord, ob in Friedens- oder in Kriegszeiten begangen, ein Verbrechen nach Völkerrecht ist, zu dessen Verhütung und Bestrafung sie sich verpflichten.

Artikel II

In dieser Konvention bedeutet Völkermord eine der fol-

following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group.

Article III

The following acts shall be punishable:

- (a) Genocide;
- (b) Conspiracy to commit genocide;
- (c) Direct and public incitement to commit genocide;
- (d) Attempt to commit genocide;
- (e) Complicity in genocide.

Article IV

Persons committing genocide or any of the other acts enumerated in article III shall be punished, whether they are constitutionally responsible rulers, public officials or private individuals.

Article V

The Contracting Parties undertake to enact, in accordance with their respective Constitutions, the necessary legislation to give effect to the

quelconque des actes ci-après, commis dans l'intention de détruire, en tout ou en partie, un groupe national, ethnique, racial ou religieux, comme tel:

- a) Meurtre de membres du groupe;
- b) Atteinte grave à l'intégrité physique ou mentale de membres du groupe;
- c) Soumission intentionnelle du groupe à des conditions d'existence devant entraîner sa destruction physique totale ou partielle;
- d) Mesures visant à entraver les naissances au sein du groupe;
- e) Transfert forcé d'enfants du groupe à un autre groupe.

Article III

Seront punis les actes suivants:

- a) Le génocide;
- b) L'entente en vue de commettre le génocide;
- c) L'incitation directe et publique à commettre le génocide;
- d) La tentative de génocide;
- e) La complicité dans le génocide.

Article IV

Les personnes ayant commis le génocide ou l'un quelconque des autres actes énumérés à l'article III seront punies, qu'elles soient des gouvernants, des fonctionnaires ou des particuliers.

Article V

Les Parties contractantes s'engagent à prendre, conformément à leurs constitutions respectives, les mesures législatives nécessaires pour assurer l'appli-

genden Handlungen, die in der Absicht begangen wird, eine nationale, ethnische, rassische oder religiöse Gruppe als solche ganz oder teilweise zu zerstören:

- a) Tötung von Mitgliedern der Gruppe;
- b) Zufügung von schwerem körperlichem oder seelischem Schaden an Mitgliedern der Gruppe;
- c) vorsätzliche Unterwerfung der Gruppe unter Lebensbedingungen mit dem Ziel, ihre körperliche Zerstörung ganz oder teilweise herbeizuführen;
- d) Verhängung von Maßnahmen, die auf die Geburtenverhinderung innerhalb der Gruppe gerichtet sind;
- e) gewaltsame Überführung von Kindern der Gruppe in eine andere Gruppe.

Artikel III

Die folgenden Handlungen werden bestraft:

- a) Völkermord;
- b) Verschwörung zur Begehung von Völkermord;
- c) unmittelbare und öffentliche Anreizung zur Begehung von Völkermord;
- d) Versuch des Völkermordes;
- e) Beteiligung am Völkermord.

Artikel IV

Personen, die Völkermord oder eine der sonstigen in Artikel III angeführten Handlungen begehen, werden bestraft, gleichviel ob sie nach der Verfassung verantwortliche regierende Personen, öffentliche Beamte oder Privatpersonen sind.

Artikel V

Die Vertragsschließenden Parteien verpflichten sich, in Übereinstimmung mit ihren Verfassungen die notwendigen gesetzgeberischen Maßnahmen zu er-

provisions of the present Convention and, in particular, to provide effective penalties for persons guilty of genocide or of any of the other acts enumerated in article III.

Article VI

Persons charged with genocide or any of the other acts enumerated in article III shall be tried by a competent tribunal of the State in the territory of which the act was committed, or by such international penal tribunal as may have jurisdiction with respect to those Contracting Parties which shall have accepted its jurisdiction.

Article VII

Genocide and the other acts enumerated in article III shall not be considered as political crimes for the purpose of extradition.

The Contracting Parties pledge themselves in such cases to grant extradition in accordance with their laws and treaties in force.

Article VIII

Any Contracting Party may call upon the competent organs of the United Nations to take such action under the Charter of the United Nations as they consider appropriate for the prevention and suppression of acts of genocide or any of the other acts enumerated in article III.

Article IX

Disputes between the Contracting Parties relating to the interpretation, application or fulfilment of the present Convention, including those relating to the responsibility of a State for genocide or for any of the other acts enumerated in ar-

cation des dispositions de la présente Convention, et notamment à prévoir des sanctions pénales efficaces frappant les personnes coupables de génocide ou de l'un quelconque des autres actes énumérés à l'article III.

Article VI

Les personnes accusées de génocide ou de l'un quelconque des autres actes énumérés à l'article III seront traduites devant les tribunaux compétents de l'Etat sur le territoire duquel l'acte a été commis, ou devant la Cour criminelle internationale qui sera compétente à l'égard de celles des Parties contractantes qui en auront reconnu la juridiction.

Article VII

Le génocide et les autres actes énumérés à l'article III ne seront pas considérés comme des crimes politiques pour ce qui est de l'extradition.

Les Parties contractantes s'engagent en pareil cas à accorder l'extradition conformément à leur législation et aux traités en vigueur.

Article VIII

Toute Partie contractante peut saisir les organes compétents des Nations Unies afin que ceux-ci prennent, conformément à la Charte des Nations Unies, les mesures qu'ils jugent appropriées pour la prévention et la répression des actes de génocide ou de l'un quelconque des autres actes énumérés à l'article III.

Article IX

Les différends entre les Parties contractantes relatifs à l'interprétation, l'application ou l'exécution de la présente Convention, y compris ceux relatifs à la responsabilité d'un Etat en matière de génocide ou de l'un quelconque des autres actes

greifen, um die Anwendung der Bestimmungen dieser Konvention sicherzustellen und insbesondere wirksame Strafen für Personen vorzusehen, die des Völkermordes oder einer der sonstigen in Artikel III angeführten Handlungen schuldig sind.

Artikel VI

Personen, denen Völkermord oder eine der sonstigen in Artikel III angeführten Handlungen zur Last gelegt wird, werden vor ein zuständiges Gericht des Staates, in dessen Gebiet die Handlung begangen worden ist, oder vor das internationale Strafgericht gestellt, das für jene Vertragschließenden Parteien zuständig ist, die seine Gerichtsbarkeit anerkannt haben.

Artikel VII

Völkermord und die sonstigen in Artikel III angeführten Handlungen werden bei der Auslieferung nicht als politische Straftaten angesehen.

Die Vertragschließenden Parteien verpflichten sich, in derartigen Fällen die Auslieferung gemäß ihren geltenden Gesetzen und Verträgen zu bewilligen.

Artikel VIII

Jede Vertragschließende Partei kann die zuständigen Organe der Vereinten Nationen damit befassen, gemäß der Charta der Vereinten Nationen jene Maßnahmen zu ergreifen, die sie für die Verhütung und Bekämpfung von Völkermordhandlungen oder einer der sonstigen in Artikel III angeführten Handlungen für geeignet erachten.

Artikel IX

Streitigkeiten zwischen den Vertragschließenden Parteien bezüglich der Auslegung, Anwendung oder Durchführung dieser Konvention, einschließlich derjenigen, die sich auf die Verantwortlichkeit eines Staates für Völkermord oder eine der son-

ticle III, shall be submitted to the International Court of Justice at the request of any of the parties to the dispute.

Article X

The present Convention, of which the Chinese, English, French, Russian, and Spanish texts are equally authentic, shall bear the date of 9 December 1948.

Article XI

The present Convention shall be open until 31 December 1949 for signature on behalf of any Member of the United Nations and of any non-member State to which an invitation to sign has been addressed by the General Assembly.

The present Convention shall be ratified, and the instruments of ratification shall be deposited with the Secretary-General of the United Nations.

After 1 January 1950 the present Convention may be acceded to on behalf of any Member of the United Nations and of any non-member State which has received an invitation as aforesaid.

Instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article XII

Any Contracting Party may at any time, by notification addressed to the Secretary-General of the United Nations, extend the application of the present Convention to all or any of the territories for the conduct of whose foreign relations that Contracting Party is responsible.

Article XIII

On the day when the first twenty instruments of ratification or accession have been deposited, the Secretary-General shall draw up a procès-verbal

énumérés à l'article III, seront soumis à la Cour internationale de Justice, à la requête d'une Partie au différend.

Article X

La présente Convention dont les textes anglais, chinois, espagnol, français et russe feront également foi, portera la date du 9 décembre 1948.

Article XI

La présente Convention sera ouverte jusqu'au 31 décembre 1949 à la signature au nom de tout Membre des Nations Unies et de tout Etat non membre à qui l'Assemblée générale aura adressé une invitation à cet effet.

La présente Convention sera ratifiée et les instruments de ratification seront déposés auprès du Secrétaire général des Nations Unies.

A partir du 1^{er} janvier 1950, il pourra être adhéré à la présente Convention au nom de tout Membre des Nations Unies et de tout Etat non membre qui aura reçu l'invitation susmentionnée.

Les instruments d'adhésion seront déposés auprès du Secrétaire général des Nations Unies.

Article XII

Toute Partie contractante pourra, à tout moment, par notification adressée au Secrétaire général des Nations Unies, étendre l'application de la présente Convention à tous les territoires ou à l'un quelconque des territoires dont elle dirige les relations extérieures.

Article XIII

Dès le jour où les vingt premiers instruments de ratification ou d'adhésion auront été déposés, le Secrétaire général en dressera procès-verbal. Il trans-

stigen in Artikel III angeführten Handlungen beziehen, werden auf Antrag einer der an dem Streitfall beteiligten Parteien dem Internationalen Gerichtshof unterbreitet.

Artikel X

Diese Konvention, deren chinesischer, englischer, französischer, russischer und spanischer Text gleichermaßen authentisch ist, trägt das Datum des 9. Dezember 1948.

Artikel XI

Diese Konvention steht bis zum 31. Dezember 1949 jedem Mitglied der Vereinten Nationen und jedem Nicht-Mitgliedstaat, an den die Generalversammlung eine Einladung zur Unterzeichnung gerichtet hat, zur Unterzeichnung offen.

Diese Konvention bedarf der Ratifikation; die Ratifikationsurkunden werden bei dem Generalsekretär der Vereinten Nationen hinterlegt.

Nach dem 1. Jänner 1950 kann jedes Mitglied der Vereinten Nationen und jeder Nicht-Mitgliedstaat, der, wie oben erwähnt, eine Einladung erhalten hat, der Konvention beitreten.

Die Beitrittsurkunden werden bei dem Generalsekretär der Vereinten Nationen hinterlegt.

Artikel XII

Eine Vertragsschließende Partei kann jederzeit durch Mitteilung an den Generalsekretär der Vereinten Nationen die Anwendung dieser Konvention auf alle oder eines der Gebiete erstrecken, für deren internationale Beziehungen diese Vertragsschließende Partei verantwortlich ist.

Artikel XIII

An dem Tag, an dem die ersten zwanzig Ratifikations- oder Beitrittsurkunden hinterlegt sind, errichtet der Generalsekretär ein Protokoll und über-

and transmit a copy thereof to each Member of the United Nations and to each of the non-member States contemplated in article XI.

The present Convention shall come into force on the ninetieth day following the date of deposit of the twentieth instrument of ratification or accession.

Any ratification or accession effected subsequent to the latter date shall become effective on the ninetieth day following the deposit of the instrument of ratification or accession.

Article XIV

The present Convention shall remain in effect for a period of ten years as from the date of its coming into force.

It shall thereafter remain in force for successive periods of five years for such Contracting Parties as have not denounced it at least six months before the expiration of the current period.

Denunciation shall be effected by a written notification addressed to the Secretary-General of the United Nations.

Article XV

If, as a result of denunciations, the number of Parties to the present Convention should become less than sixteen, the Convention shall cease to be in force as from the date on which the last of these denunciations shall become effective.

Article XVI

A request for the revision of the present Convention may be made at any time by any Contracting Party by means of a notification in writing addressed to the Secretary-General.

The General Assembly shall decide upon the steps, if any, to be taken in respect of such request.

mettra copie de ce procès-verbal à tous les Etats Membres des Nations Unies et aux non-membres visés par l'article XI.

La présente Convention entrera en vigueur le quatre-vingt-dixième jour qui suivra la date du dépôt du vingtième instrument de ratification ou d'adhésion.

Toute ratification ou adhésion effectuée ultérieurement à la dernière date prendra effet le quatre-vingt-dixième jour qui suivra le dépôt de l'instrument de ratification ou d'adhésion.

Article XIV

La présente Convention aura une durée de dix ans à partir de la date de son entrée en vigueur.

Elle restera par la suite en vigueur pour une période de cinq ans et ainsi de suite, vis-à-vis des Parties contractantes qui ne l'auront pas dénoncée six mois au moins avant l'expiration du terme.

La dénonciation se fera par notification écrite adressée au Secrétaire général des Nations Unies.

Article XV

Si, par suite de dénonciations, le nombre des Parties à la présente Convention se trouve ramené à moins de seize, la Convention cessera d'être en vigueur à partir de la date à laquelle la dernière de ces dénonciations prendra effet.

Article XVI

Une demande de révision de la présente Convention pourra être formulée en tout temps par toute Partie contractante, par voie de notification écrite adressée au Secrétaire général.

L'Assemblée générale statuera sur les mesures à prendre, s'il y a lieu, au sujet de cette demande.

mittelt jedem Mitglied der Vereinten Nationen und jedem der in Artikel XI erwähnten Nicht-Mitgliedstaaten eine Abschrift desselben.

Diese Konvention tritt am neunzigsten Tag nach dem Zeitpunkt der Hinterlegung der zwanzigsten Ratifikations- oder Beitrittsurkunde in Kraft.

Ratifikationen oder Beitritte, die nach letzterem Zeitpunkt erfolgen, werden am neunzigsten Tag nach der Hinterlegung der Ratifikations- oder Beitrittsurkunde wirksam.

Artikel XIV

Diese Konvention bleibt für die Dauer von zehn Jahren vom Zeitpunkt ihres Inkrafttretens an in Kraft.

Danach bleibt sie für die Dauer von jeweils weiteren fünf Jahren für jene Vertragsschließenden Parteien in Kraft, die sie nicht mindestens sechs Monate vor Ablauf des laufenden Zeitraumes gekündigt haben.

Die Kündigung erfolgt durch schriftliche Mitteilung an den Generalsekretär der Vereinten Nationen.

Artikel XV

Wenn infolge von Kündigungen die Zahl der Parteien dieser Konvention auf weniger als sechzehn sinkt, tritt die Konvention mit dem Zeitpunkt außer Kraft, in dem die letzte dieser Kündigungen wirksam wird.

Artikel XVI

Ein Antrag auf Revision dieser Konvention kann jederzeit von einer Vertragsschließenden Partei durch eine schriftliche Mitteilung an den Generalsekretär gestellt werden.

Die Generalversammlung entscheidet über die Schritte, die gegebenenfalls auf einen solchen Antrag hin zu unternehmen sind.

Article XVII

The Secretary-General of the United Nations shall notify all Members of the United Nations and the non-member States contemplated in article XI of the following:

- (a) Signatures, ratifications and accessions received in accordance with article XI;
- (b) Notifications received in accordance with article XII;
- (c) The date upon which the present Convention comes into force in accordance with article XIII;
- (d) Denunciations received in accordance with article XIV;
- (e) The abrogation of the Convention in accordance with article XV;
- (f) Notifications received in accordance with article XVI.

Article XVIII

The original of the present Convention shall be deposited in the archives of the United Nations.

A certified copy of the Convention shall be transmitted to each Member of the United Nations and to each of the non-member States contemplated in article XI.

Article XIX

The present Convention shall be registered by the Secretary-General of the United Nations on the date of its coming into force.

Article XVII

Le Secrétaire général des Nations Unies notifiera à tous les Etats Membres des Nations Unies et aux Etats non membres visés par l'article XI:

- a) Les signatures, ratifications et adhésions reçues en application de l'article XI;
- b) Les notifications reçues en application de l'article XII;
- c) La date à laquelle la présente Convention entrera en vigueur, en application de l'article XIII;
- d) Les dénonciations reçues en application de l'article XIV;
- e) L'abrogation de la Convention, en application de l'article XV;
- f) Les notifications reçues en application de l'article XVI.

Article XVIII

L'original de la présente Convention sera déposé aux archives de l'Organisation des Nations Unies.

Une copie certifiée conforme sera adressée à tous les Etats Membres des Nations Unies et aux Etats non membres visés par l'article XI.

Article XIX

La présente Convention sera enregistrée par le Secrétaire général des Nations Unies à la date de son entrée en vigueur.

Artikel XVII

Der Generalsekretär der Vereinten Nationen macht allen Mitgliedern der Vereinten Nationen und den in Artikel XI erwähnten Nicht-Mitgliedstaaten über die folgenden Angelegenheiten Mitteilung:

- a) Unterzeichnungen, Ratifikationen und Beitritte, die gemäß Artikel XI eingegangen sind;
- b) Mitteilungen, die gemäß Artikel XII eingegangen sind;
- c) den Zeitpunkt, zu dem diese Konvention gemäß Artikel XIII in Kraft tritt;
- d) Kündigungen, die gemäß Artikel XIV eingegangen sind;
- e) Außerkrafttreten der Konvention gemäß Artikel XV;
- f) Mitteilungen, die gemäß Artikel XVI eingegangen sind.

Artikel XVIII

Das Original dieser Konvention wird in den Archiven der Vereinten Nationen hinterlegt.

Eine beglaubigte Abschrift der Konvention wird jedem Mitglied der Vereinten Nationen und jedem der in Artikel XI erwähnten Nicht-Mitgliedstaaten übermittelt.

Artikel XIX

Diese Konvention wird am Tag ihres Inkrafttretens beim Generalsekretär der Vereinten Nationen registriert.

die verfassungsmäßige Genehmigung des Nationalrates erhalten hat, erklärt der Bundespräsident im Namen der Republik Österreich dieser Konvention beizutreten und verspricht im Namen der Republik Österreich die gewissenhafte Erfüllung der in dieser Konvention enthaltenen Bestimmungen.

Zu Urkund dessen ist die vorliegende Beitrittsurkunde vom Bundespräsidenten unterzeichnet, vom Bundeskanzler, vom Bundesminister für Inneres, vom Bundesminister für Justiz und vom Bundesminister für die Auswärtigen Angelegenheiten gegengezeichnet und mit dem Staatssiegel der Republik Österreich versehen worden.

Geschehen zu Wien, den 27. Feber 1958.

Der Bundespräsident:

Schärf

Der Bundeskanzler:

Julius Raab

Der Bundesminister für Inneres:

Ernst Starmer

Der Bundesminister für Justiz:

Walter Reuter

Der Bundesminister für die Auswärtigen Angelegenheiten:

Julius Raab

the General Assembly covering the period from 16 July 1954 to 15 July 1955.

*549th plenary meeting,
29 November 1955.*

994 (X). Confirmation of allocation of funds under the Expanded Programme of Technical Assistance³

The General Assembly,

Noting that the Technical Assistance Committee, in accordance with Economic and Social Council resolution 542 B (XVIII) of 29 July 1954 as approved by the General Assembly in resolution 831 (IX) of 26 November 1954, has reviewed and approved the Expanded Programme of Technical Assistance for the year 1956,

1. *Confirms* the allocation of funds to the organizations participating in the Expanded Programme of Technical Assistance in proportion to their share in the approved over-all Programme, as authorized by the Technical Assistance Committee, as follows:

	<i>(In US dollars)</i>
United Nations Technical Assistance Administration	6,434,852
International Telecommunication Union	214,200
World Meteorological Organization	382,170
International Labour Organisation	2,933,900
Food and Agriculture Organization	8,057,000
United Nations Educational, Scientific and Cultural Organization	4,940,933
International Civil Aviation Organization	1,081,750
World Health Organization	5,689,280
TOTAL	<u>29,734,085</u>

³ See also resolution 921 (X).

2. *Concurs in* the Technical Assistance Committee's authorization to the Technical Assistance Board to make such transfers of allocations between the participating organizations as might be necessary to ensure the full utilization of the contributions pledged to the Expanded Programme, provided that such transfers shall not exceed 3 per cent of the total amount allocated to the participating organizations and that these transfers are reported to the Technical Assistance Committee at each subsequent session.

*550th plenary meeting,
3 December 1955.*

995 (X). Admission of new Members to the United Nations⁴

The General Assembly,

Having received the recommendation⁵ of the Security Council of 14 December 1955 that the following countries should be admitted to membership in the United Nations: Albania, Jordan, Ireland, Portugal, Hungary, Italy, Austria, Romania, Bulgaria, Finland, Ceylon, Nepal, Libya, Cambodia, Laos and Spain,

Having considered the application for membership of each of these countries,

Decides to admit the above-mentioned sixteen countries to membership in the United Nations.

*555th plenary meeting,
14 December 1955.*

⁴ See also resolution 918 (X).

⁵ *Official Records of the General Assembly, Tenth Session, Annexes, agenda item 21, document A/3099.*



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FILE NO.1

C.N.204.1950.TREATIES

12 January 1951

CONVENTION OF 9 DECEMBER 1948 ON THE PREVENTION
AND PUNISHMENT OF THE CRIME OF GENOCIDERATIFICATION BY CZECHOSLOVAKIA

Sir,

I am directed by the Secretary-General to inform you that the instrument of ratification of the Convention on the Prevention and Punishment of the Crime of Genocide by Czechoslovakia was received on 21 December 1950. This instrument of ratification maintains the reservations relating to articles IX and XII made at the time of signature by the representative of Czechoslovakia and announced in letter C.N.180.1949.Treaties of 30 December 1949.

Replies from the Governments of Guatemala (C.N.113.1950 and C.N.131.1950), Ecuador (LEG 318/2/03 of 5 May 1950), Australia (C.N.170.1950 and C.N.197.1950), El Salvador (C.N.188.1950) and Viet Nam (C.N.195.1950), however, expressed disagreement with, or objection to, the aforementioned reservations.



Accordingly, pursuant to paragraph three of the Resolution on Reservations to Multilateral Conventions, adopted by the General Assembly at its 305th plenary meeting on 16 November 1950, notification is hereby made of the receipt of the above-mentioned instrument, without prejudice to its legal effect, pending the decision, contemplated by that Resolution, of the General Assembly at its sixth session.

I have the honour to be,

Sir,

Your obedient servant,


Assistant Secretary-General
Legal Department

COPY

117-4

(IV.1)

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REFERENCE C.N.98.1991.TREATIES-1 (Depositary Notification)

CONVENTION ON THE PREVENTION AND PUNISHMENT
OF THE CRIME OF GENOCIDE
ADOPTED BY THE GENERAL ASSEMBLY OF THE UNITED NATIONS
ON 9 DECEMBER 1948

WITHDRAWAL OF A RESERVATION MADE BY CZECHOSLOVAKIA

ACCESSION BY ZIMBABWE

The Secretary-General of the United Nations, acting in his capacity as depositary, communicates the following:

I

On 26 April 1991, the Government of Czechoslovakia notified the Secretary-General of its decision to withdraw the following reservation to article IX of the Convention, made upon signature and confirmed at the time of ratification, as circulated by depositary notification C.N.180.1949.TREATIES of 30 December 1949:

(Translation) (Original: Czech)

As regards Article IX: Czechoslovakia does not consider as binding upon itself the provisions of Article IX which provides that disputes between the Contracting Parties with regard to the interpretation, application and implementation of the present Convention shall be referred for examination to the International Court at the request of any party to the dispute, and declares that, as regards the International Court's jurisdiction in respect of disputes concerning the interpretation, application and implementation of the Convention, Czechoslovakia will, as hitherto, maintain the position that in each particular case the agreement of all parties to the dispute is essential for the submission of any particular dispute to the International Court for decision.

Attention: Treaty Services of Ministries of Foreign Affairs and of international organizations concerned



MINISTER
OF FOREIGN AFFAIRS

Prague, 16 February 1993
Ref.: 79.059/93-MPO

Your Excellency,

Upon the instruction of the Government of the Czech Republic and referring to the Declaration of the Czech National Council to All Parliaments and Nations of the World of 17 December 1992, I have the honour to communicate to Your Excellency the following:

In conformity with the valid principles of international law and to the extent defined by it, the Czech Republic, as a successor State to the Czech and Slovak Federal Republic, considers itself bound, as of 1 January 1993, i.e. the date of the dissolution of the Czech and Slovak Federal Republic, by multilateral international treaties to which the Czech and Slovak Federal Republic was a party on that date, including reservations and declarations to their provisions made earlier by the Czech and Slovak Federal Republic.

His Excellency
Mr. Boutros Boutros-Ghali
Secretary-General
of the United Nations
New York

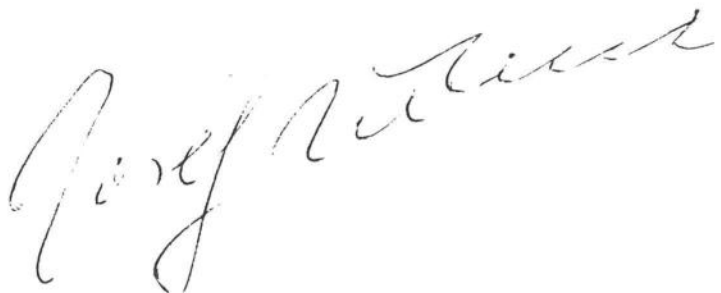
The Government of the Czech Republic have examined multilateral treaties the list of which is attached to this letter. I have the honour to inform you that the Czech Republic considers to be bound by these treaties as well as by all reservations and declarations to them by virtue of succession as of 1 January 1993.

The Czech Republic, in accordance with the well-established principles of international law, recognizes signatures made by the Czech and Slovak Federal Republic in respect of all signed treaties as if they were made by itself.

In order to ensure the continuous implementation of these conventions in relations between the Czech Republic and other parties to these conventions, I have the honour to request Your Excellency in Your capacity of depositary to pass this information as soon as possible to all States Parties to the above-mentioned conventions.

Other treaties deposited with the Secretary-General of the United Nations ratified or signed by the Czech and Slovak Federal Republic and not included in the aforementioned list have not yet been examined by the competent authorities of the Czech Republic. I will inform you on the positions of the Czech Republic in respect of those treaties in due course.

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

A handwritten signature in cursive script, likely belonging to Petr Pithulák, the Minister of Foreign Affairs of the Czech Republic at the time. The signature is written in dark ink and is positioned at the bottom right of the page.

Partial list of multilateral treaties deposited with the
Secretary General of the United Nations which are subject to
succession by the Czech Republic

/treaties are enlisted according to UN document ST/LEG/SER.E/10/
10 February 1993

Chapter III.

1. Convention on the Privileges and Immunities of the United Nations. Adopted by the General Assembly of the United Nations on 13 February 1946
2. Convention on the Privileges and Immunities of the Specialized Agencies. Approved by the General Assembly of the United Nations on 21 November 1947
3. Vienna Convention on Diplomatic Relations. Done in Vienna on 18 April 1961
6. Vienna Convention on Consular Relations. Done at Vienna on 24 April 1963
9. Convention on Special Missions. Adopted by the General Assembly of the United Nations on 8 December 1969
11. Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents. Adopted by the General Assembly of the United Nations on 14 December 1973
12. Vienna Convention on the Representation of States in their Relation with International Organizations of a Universal Character. Concluded at Vienna on 14 March 1975

Chapter IV.

1. Convention on the Prevention and Punishment of the Crime of Genocide. Adopted by the General Assembly of the United Nations on 9 December 1948
2. International Convention on the Elimination of All Forms of Racial Discrimination. Opened for signature at New York on 7 March 1966
3. International Covenant on Economic, Social and Cultural Rights. Adopted by the General Assembly of the United Nations on 16 December 1966
4. International Covenant on Civil and Political Rights. Adopted by the General Assembly of the United Nations on 16 December 1966

5. Optional Protocol to the International Covenant on Civil and Political Rights. Adopted by the General Assembly of the United Nations on 16 December 1966
6. Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity. Adopted by the General Assembly of the United Nations on 26 November 1968
7. International Convention on the Suppression and Punishment of the Crime of Apartheid. Adopted by the General Assembly of the United Nations on 30 November 1973.
8. Convention on the Elimination of All Forms of Discrimination against Women. Adopted by the General Assembly of the United Nations on 18 December 1979.
9. Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. Adopted by the General Assembly of the United Nations on 10 December 1984.
10. International Convention against Apartheid in Sports. Adopted by the General Assembly of the United Nations on 10 December 1985.
11. Convention on the Rights of the Child. Adopted by the General Assembly of the United Nations on 20 November 1989.

Chapter XVI.

1. Convention on the Political Rights of Women. Opened for signature at New York on 31 March 1953.
2. Convention on the Nationality of Married Women. Done at New York on 20 February 1957.
3. Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages. Opened for signature at New York on 10 December 1962.

Chapter XVIII.

3. Slavery Convention. Geneva, September 25th, 1926
4. Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery. Done at the European Office of the United Nations at Geneva on 7 September 1956
5. International Convention Against the Taking of Hostages. Adopted by the General Assembly of the United Nations on 17 December 1979

Chapter XXI.

1. Convention on the Territorial Sea and the Contiguous Zone. Done at Geneva on 29 April 1958.
2. Convention on the High Seas. Done at Geneva on 29 April 1958.
4. Convention on the Continental Shelf. Done at Geneva on 29 April 1958.
6. United Nations Convention on the Law of the Sea. Concluded at Montego Bay, Jamaica, on 10 December 1982. - S

Chapter XXIII.

1. Vienna Convention on the Law of Treaties. Concluded at Vienna on 23 May 1969
2. Vienna Convention on Succession of States in respect of Treaties. Concluded at Vienna on 23 August 1978 - S
3. Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations. Concluded at Vienna on 21 March 1986

Chapter XXIV.

1. Convention on Registration of Objects Launched into Outer Space. Adopted by the General Assembly of the United Nations on 12 November 1974.

Chapter XXVI.

1. Convention on the Prohibition of Military or any other Hostile use of Environmental Modification Techniques. Adopted by the General Assembly of the United Nations on 10 December 1976.
2. Convention on Prohibitions or Restrictions on the Use of certain Conventional Weapons which may be deemed to be excessively injurious or to have indiscriminate effects (and Protocols. Concluded at Geneva on 10 October 1980



General Assembly

Distr.
GENERAL

A/RES/47/221
7 April 1993

Forty-seventh session
Agenda item 19

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[without reference to a Main Committee (A/47/L.52 and Add.1)]

47/221. Admission of the Czech Republic to membership
in the United Nations

The General Assembly,

Having received the recommendation of the Security Council of 8 January 1993 that the Czech Republic should be admitted to membership in the United Nations, 1/

Having considered the application for membership of the Czech Republic, 2/

Decides to admit the Czech Republic to membership in the United Nations.

95th plenary meeting
19 January 1993

1/ Official Records of the General Assembly, Forty-seventh Session, Annexes, agenda item 19, document A/47/863.

2/ Ibid., document A/47/851-S/25045.

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C.N.204.1959.TREATIES-4

26 January 1960

CONVENTION OF 9 DECEMBER 1948 ON THE PREVENTION
AND PUNISHMENT OF THE CRIME OF GENOCIDE

ACCESSION BY FINLAND

Sir,

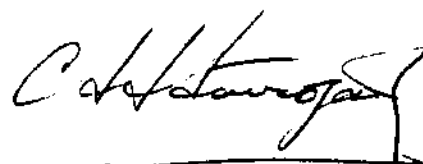
I am directed by the Secretary-General to inform you that, on 18 December 1959, the instrument of accession by the Government of Finland to the Convention on the Prevention and Punishment of the Crime of Genocide, adopted by the General Assembly of the United Nations on 9 December 1948, was deposited with the Secretary-General in accordance with article XI of the Convention.

The instrument contains the stipulation that the Government of Finland accedes to the said Convention

"..... subject to the provisions of Article 47, paragraph 2, of the Constitution Act, 1919, concerning the impeachment of the President of the Republic of Finland."

This notification is made in accordance with article XVII(a) of the said Convention.

Accept, Sir, the assurances of my highest consideration.



Constantin A. Stavropoulos
Legal Counsel

COPY



Ljubljana, 1 July 1992

Your Excellency,

I have the honour to inform you on the position of the Republic of Slovenia concerning international treaties concluded by SFR Yugoslavia.

When declaring independence on 25 June, 1991 the Parliament of the Republic of Slovenia determined that international treaties which had been concluded by the SFRY and which related to the Republic of Slovenia remained effective on its territory (Article 3 of the Constitutional Law on the implementation of the Constitutional Charter on the Independence and Sovereignty of the Republic of Slovenia - Official Gazette of the R.S. No.1/91). This decision was taken in consideration of customary international law and of the fact that the Republic of Slovenia, as a former constituent part of the Yugoslav Federation, had granted its agreement to the ratification of the international treaties in accordance with the then valid constitutional provisions.

The Republic of Slovenia therefore in principle acknowledges the continuity of treaty rights and obligations under the international treaties concluded by the SFRY before 25 June, 1991, but since it is likely that certain treaties may have lapsed by the date of independence of Slovenia or may be outdated, it seems essential that each treaty be subjected to legal examination.

The Government of the Republic of Slovenia has examined 55 multilateral treaties for which Your Excellency has assumed the depositary functions. I have the honour to inform you that the Republic of Slovenia considers to be bound by these treaties by virtue of succession to the SFR Yugoslavia in respect of the territory of the Republic of Slovenia. Please find a list of these treaties attached to this letter.

Other treaties, for which the Secretary-General of the United Nations is the depositary and which had been ratified by the SFRY, have not yet been examined by the competent authorities of the Republic of Slovenia. We will inform you on our position concerning these treaties in due course.

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



Dr. Dimitrij Rupel
M i n i s t e r

His Excellency
Mr. Boutros Boutros-Ghali
Secretary-General of
the United Nations
New York

Mr. B. Mahić

ADDENDUM

Ljubljana, 1 July 1992

LIST OF MULTILATERAL TREATIES REFERRED TO IN THE LETTER
DATED 1 JULY 1992

1. Convention on the Privileges and Immunities of the United Nations of 13 February 1946;
2. Convention on the Privileges and Immunities of the Specialized Agencies of 21 November 1947;
The Republic of Slovenia will apply the Convention to ILO, FAO, UNESCO, IMF, IBRD, WHO, UPU, ITU, WMO, IFAD and WIPO.
3. Vienna Convention on Diplomatic Relations of 18 April 1961;
4. Optional Protocol to the Vienna Convention on Diplomatic Relations concerning the Compulsory Settlement of Disputes of 18 April 1961;
5. Vienna Convention on Consular Relations of 24 April 1963;
6. Convention on Special Missions of 8 December 1969;
7. Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents of 14 December 1973;
8. Vienna Convention on the Representation of States in their Relations with International Organizations of a Universal Character of 14 March 1975;
9. Convention on the Prevention and Punishment of the Crime of Genocide of 9 December 1948;
10. Convention for the Suppression of the Traffic Persons and of the Exploitation of the Prostitution of Others of 21 March 1950;
11. Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 7 September 1956;
12. International Convention on the Elimination of All Forms

of Racial Discrimination of 7 March 1966;

13. International Covenant on Economic, Social and Cultural Rights of 16 December 1966;
14. International Covenant on Civil and Political Rights of 16 December 1966;
The Parliament of the Republic of Slovenia adopted the following Declaration: "Republic of Slovenia, in accordance with Article 41 of the said Covenant, recognizes the competence of the Human Rights Committee to receive and consider communications submitted by another State Party to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Covenant."
15. Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity of 26 November 1968;
16. International Convention on the Suppression and Punishment of the Crime of Apartheid of 30 November 1973;
17. Convention on the Elimination of All Forms of Discrimination against Women of 18 December 1979;
18. Convention on the Political Rights of Women of 31 March 1953;
19. Convention on the Nationality of Married Women of 20 February 1957;
20. Convention on the Rights of the Child of 20 November 1989;
The Republic of Slovenia reserves the right not to apply paragraph 1 of Article 9 of the Convention since the internal legislation of the Republic of Slovenia provides for the right of competent authorities (centres for social work) to determine on separation of a child from his/her parents without a previous judicial review.
21. Convention relating to the Status of Refugees of 28 July 1951;
22. Convention relating to the Status of Stateless Persons of 28 September 1954;
23. Protocol relating to the Status of Refugees of 31 January 1967;
24. Vienna Convention on the Law of Treaties of 23 May 1969;

25. Vienna Convention on Succession of States in respect of Treaties of 23 August 1978;
26. International Convention Against the Taking of Hostages of 17 December 1979;
27. Convention on Long-Range Transboundary Air Pollution of 13 November 1979;
28. Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on Long-Term Financing of the Co-Operative Programme for Monitoring and Evaluation of the Long-Range Transmission of Air Pollutants in Europe (EMEP) of 28 September 1984;
29. Vienna Convention for the Protection of the Ozone Layer of 25 March 1985;
30. Montreal Protocol on Substances that deplete the Ozone Layer of 16 September 1987;
31. Convention on Psychotropic Substances of 21 February 1971;
32. Single Convention on Narcotic Drugs, 1961, as amended by the Protocol of 25 March 1972 amending the Single Convention on Narcotic Drugs, 1961 of 8 August 1975;
33. United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 20 December 1988;
The Ministry for Health, Family and Social Security of the Republic of Slovenia is authorised to issue certificates for traffic with narcotic drugs.
34. Convention on the Recovery Abroad of Maintenance of 20 June 1956;
The Government of the Republic of Slovenia designates the Ministry for Health, Family and Social Security as a competent authority for the purposes envisaged in Article 2 of the Convention.
35. Convention concerning Custom Facilities for Touring of 4 June 1954;
36. Customs Convention on the Temporary Importation of Private Road Vehicles of 4 June 1954;
37. Customs Convention on the International Transport of Goods under Cover of TIR carnets (TIR Convention) of 14 November 1975;
38. Convention and Statute on Freedom of Transit of 20 April 1921;

39. Declaration on the Construction of Main International Traffic Arteries of 16 September 1950;
40. Agreement on Signs for Road Works of 16 December 1955;
41. Convention on the Contract for the International Carriage of Goods by Road (CMR) of 19 May 1956;
42. European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) of 30 September 1957;
a) Protocol to the Convention on the Contract for the International Carriage of Goods by Road of 21 August 1975;
43. Convention on Road Traffic of 8 November 1968;
In accordance with paragraph 4 of Article 45 the Government of the Republic of Slovenia has the honour to inform that the distinguishing sign of vehicles registered in the Republic of Slovenia in international traffic is "SLO".
44. European Agreement supplementing the Convention on Road Traffic opened for signature at Vienna on 8 November 1968. Concluded at Geneva on 1 May 1971;
45. European Agreement on Main International Traffic Arteries (AGR) of 15 November 1975;
46. European Agreement on Main International Railway Lines of 31 May 1985;
47. International Convention on the Harmonization of Frontier Control of Goods of 21 October 1982;
48. Agreement on the Importation of Educational, Scientific and Cultural Materials of 22 November 1950;
49. Protocol to the Agreement on the Importation of Educational, Scientific and Cultural Materials of 22 November 1950. Concluded at Nairobi on 26 November 1976;
50. Convention on the Territorial Sea and Contiguous Zone of 29 April 1958;
51. Convention on the High Seas of 29 April 1958;
52. Convention on Prohibitions or Restrictions on the Use of certain Conventional Weapons which may be deemed to be excessively injurious or to have indiscriminate effects of 10 October 1980;
53. Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 10 June 1958;

In accordance with paragraph 3 of article 1 the Republic of Slovenia will apply the Convention, on the basis of reciprocity, to the recognition and enforcement of only those awards made in the territory of another Contracting State. The Republic of Slovenia will apply the Convention only to differences arising out of legal relationships, whether contractual or not, which are considered as commercial under the national law of the Republic of Slovenia.

54. European Convention on International Commercial Arbitration of 21 April 1961;
55. International Agreement for the Establishment of the University for Peace of 5 December 1980;

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REFERENCE: LA 41 TR/221/1 (3-1) (3-2) (3-3) (3-5), etc.

The Secretary-General of the United Nations presents his compliments to the Permanent Representative of the Republic of Slovenia to the United Nations and has the honour to confirm the deposit, on 6 July 1992, of the notification of succession by the Government of Slovenia to the following treaties:

- 1- Convention on the Privileges and Immunities of the United Nations, adopted by the General Assembly of the United Nations on 13 February 1946;
- 2- Convention on the Privileges and Immunities of the Specialized Agencies, approved by the General Assembly of the United Nations on 21 November 1947, in respect of ILO, FAO, UNESCO, IMF, IBRD, WHO, UPU, ITU, WMO, IFC, IDA, WIPO and IFAD;
- 3- Vienna Convention on Diplomatic Relations, done at Vienna on 18 April 1961;
- 4- Optional Protocol to the Vienna Convention on Diplomatic Relations concerning the Compulsory Settlement of Disputes, done at Vienna on 18 April 1961;
- 5- Vienna Convention on Consular Relations, done at Vienna on 24 April 1963;
- 6- Convention on Special Missions, adopted by the General Assembly of the United Nations on 8 December 1969;
- 7- Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted by the General Assembly of the United Nations on 14 December 1973;

UNITED NATIONS  NATIONS UNIES

- 2 -

- 8- Vienna Convention on the Representation of States in their Relations with International Organizations of a Universal Character, concluded at Vienna on 14 March 1975;
- 9- Convention on the Prevention and Punishment of the Crime of Genocide, adopted by the General Assembly of the United Nations on 9 December 1948;
- 10- International Convention on the Elimination of All Forms of Racial Discrimination, opened for signature at New York on 7 March 1966;
- 11- International Covenant on Economic, Social and Cultural Rights, adopted by the General Assembly of the United Nations on 16 December 1966;
- 12- International Covenant on Civil and Political Rights, adopted by the General Assembly of the United Nations on 16 December 1966: Due note has been taken of the declaration made by Slovenia to the effect that it recognizes the competence of the Human Rights Committee under article 41;
- 13- Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity, adopted by the General Assembly of the United Nations on 26 November 1968;
- 14- International Convention on the Suppression and Punishment of the Crime of Apartheid, adopted by the General Assembly of the United Nations on 30 November 1973;
- 15- Convention on the Elimination of All Forms of Discrimination against Women, adopted by the General Assembly of the United Nations on 18 December 1979;
- 16- Convention on the Rights of the Child, adopted by the General Assembly of the United Nations on 20 November 1989: Due note has been taken of the reservation to article 9 (1);
- 17- Convention relating to the Status of Refugees, signed at Geneva on 28 July 1951;

UNITED NATIONS  NATIONS UNIES

- 3 -

- 18- Convention relating to the Status of Stateless Persons, done at New York on 28 September 1954;
- 19- Protocol relating to the Status of Refugees, done at New York on 31 January 1967;
- 20- Convention on Psychotropic Substances, concluded at Vienna on 21 February 1971;
- 21- Single Convention on Narcotic Drugs, 1961, as amended by the Protocol of 25 March 1972 amending the Single Convention on Narcotic Drugs, 1961, done at New York on 8 August 1975;
- 22- United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, concluded at Vienna on 20 December 1988: Due note has been taken of the declaration concerning the designation of authority pursuant to article 17 (7);
- 23- Convention for the Suppression of the Traffic in Persons and of the exploitation of the Prostitution of Others, opened for signature at Lake Success, New York, on 21 March 1950;
- 24- Convention concerning Customs Facilities for Touring, done at New York on 4 June 1954;
- 25- Customs Convention on the Temporary Importation of Private Road Vehicles, done at New York on 4 June 1954;
- 26- Customs Convention on the International Transport of Goods under Cover of TIR carnets (TIR Convention), concluded at Geneva on 14 November 1975;
- 27- International Convention on the Harmonization of Frontier Control of Goods, concluded at Geneva on 21 October 1982;
- 28- Declaration on the Construction of Main International Traffic Arteries, signed at Geneva on 16 September 1950;

UNITED NATIONS  NATIONS UNIES

- 4 -

- 29- Agreement on Signs for Road Works, amending the European Agreement of 16 September 1950 supplementing the 1949 Convention on Road Traffic and the 1949 Protocol on Road Signs and Signals, concluded at Geneva on 16 December 1955;
- 30- Convention on the Contract for the International Carriage of Goods by Road (CMR), done at Geneva on 19 May 1956;
- 31- European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR), done at Geneva on 30 September 1957;
- 32- Protocol amending article 14(3) of the European Agreement on 30 September 1957 concerning the International Carriage of Dangerous Goods by Road (ADR), concluded at New York on 21 August 1975;
- 33- Convention on Road Traffic, concluded at Vienna on 8 November 1968: Due note has been taken of the distinguishing sign selected by Slovenia under article 45 (4);
- 34- European Agreement supplementing the Convention on Road Traffic opened for signature at Vienna on 8 November 1968, concluded at Geneva on 1 May 1971;
- 35- European Agreement on Main International Traffic Arteries (AGR), concluded at Geneva on 15 November 1975;
- 36- European Agreement on Main International Railway Lines (AGC), concluded at Geneva on 31 May 1985;
- 37- Agreement on the Importation of Educational, Scientific and Cultural Materials, opened for signature at Lake Success, New York, on 22 November 1950;
- 38- Protocol to the Agreement on the Importation of Educational, Scientific and Cultural Materials of 22 November 1950, concluded at Nairobi on 26 November 1976;
- 39- International Agreement for the Establishment of the University for Peace, adopted by the General Assembly of the United Nations on 5 December 1980;

UNITED NATIONS  NATIONS UNIES

- 5 -

- 40- Convention on the Political Rights of Women, opened for signature at New York on 31 March 1953;
- 41- Convention on the Nationality of Married Women, done at New York on 20 February 1957;
- 42- Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, done at the European Office of the United Nations at Geneva on 7 September 1956;
- 43- International Convention Against the Taking of Hostages, adopted by the General Assembly of the United Nations on 17 December 1979;
- 44- Convention on the Recovery Abroad of Maintenance, done at New York on 20 June 1956: Due note has been taken of the designation of authority in accordance with article 2;
- 45- Convention on the Territorial Sea and the Contiguous Zone, done at Geneva on 29 April 1958;
- 46- Convention on the High Seas, done at Geneva on 29 April 1958;
- 47- Convention on the Recognition and Enforcement of Foreign Arbitral Awards, done at New York on 10 June 1958: Due note has been taken of the declaration made in accordance with article I (3);
- 48- European Convention on International Commercial Arbitration, done at Geneva on 21 April 1961;
- 49- Vienna Convention on the Law of Treaties, concluded at Vienna on 23 May 1969;
- 50- Vienna Convention on Succession of States in respect of Treaties, concluded at Vienna on 23 August 1978;
- 51- Convention on Prohibitions or Restrictions on the Use of certain Conventional Weapons which may be deemed to be excessively injurious or to have indiscriminate effects (and Protocols I, II and III), concluded at Geneva on 10 October 1980;

UNITED NATIONS  NATIONS UNIES

- 6 -

- 52- Convention on Long-Range Transboundary Air Pollution, concluded at Geneva on 13 November 1979;
- 53- Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on Long-Term Financing of the Co-operative Programme for Monitoring and Evaluation of the Long-Range Transmission of Air Pollutants in Europe (EMEP), concluded at Geneva on 28 September 1984;
- 54- Vienna Convention for the Protection of the Ozone Layer, concluded at Vienna on 22 March 1985;
- 55- Montreal Protocol on Substances that Deplete the Ozone Layer, concluded at Montreal on 16 September 1987; and
- 56- Convention and Statute on Freedom of Transit, Barcelona, 20 April 1921.

The said successions took effect as of 25 June 1991. the date on which Slovenia assumed responsibility for its international relations. All States concerned are being informed accordingly.

22 October 1992 *df.*



General Assembly

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A/RES/46/236
20 July 1992

Forty-sixth session
Agenda item 20

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[without reference to a Main Committee (A/46/L.71 and Add.1)]

46/236. Admission of the Republic of Slovenia to membership in the United Nations

The General Assembly,

Having received the recommendation of the Security Council of 18 May 1992 that the Republic of Slovenia should be admitted to membership in the United Nations, 1/

Having considered the application for membership of the Republic of Slovenia, 2/

Decides to admit the Republic of Slovenia to membership in the United Nations.

86th plenary meeting
22 May 1992

1/ A/46/920.

2/ A/46/913-S/23885.

