



International Atomic Energy Agency

## INFORMATION CIRCULAR

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### CONVENTION ON THE PHYSICAL PROTECTION OF NUCLEAR MATERIAL

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This document includes the information given in documents INFCIRC/274/Rev.1/Add.2 and 274/Rev.1/Add.2/Mod.1. It accordingly supersedes those documents.

PART I: Status list

## CONVENTION ON THE PHYSICAL PROTECTION OF NUCLEAR MATERIAL

Signature, ratification, acceptance, approval or accession  
by States or organizations as of 6 September 1991

<u>State/Organization</u>	<u>Date of signature</u>	<u>Place</u>	<u>Means/date of deposit of expression of consent to be bound</u>		<u>Entry into force</u>
Argentina*	28 Feb 1986	Vienna	ratified*	6 Apr 89	6 May 1989
Australia	22 Feb 1984	Vienna	ratified	22 Sep 87	22 Oct 1987
Austria	3 Mar 1980	Vienna	ratified	22 Dec 88	21 Jan 1989
Belgium	13 Jun 1980(*)	Vienna	ratified(*)	6 Sep 91	6 Oct 1991
Brazil	15 May 1981	Vienna	ratified	17 Oct 85	8 Feb 1987
Bulgaria*	23 Jun 1981	Vienna	ratified*	10 Apr 84	8 Feb 1987
Canada	23 Sep 1980	Vienna	ratified	21 Mar 86	8 Feb 1987
China			acceded*	10 Jan 89	9 Feb 1989
Czechoslovakia*	14 Sep 1981	Vienna	ratified* <u>1/</u>	23 Apr 82	8 Feb 1987
Denmark	13 Jun 1980(*)	Vienna	ratified(*)	6 Sep 91	6 Oct 1991
Dominican Republic	3 Mar 1980	New York			
Ecuador	26 Jun 1986	New York			
EURATOM*	13 Jun 1980	Vienna	confirmed*	6 Sep 91	6 Oct 1991
Finland	25 Jun 1981	Vienna	accepted	22 Sep 89	22 Oct 1989
France*	13 Jun 1980(*)	Vienna	approved(*)*	6 Sep 91	6 Oct 1991
Germany, Federal Republic of	13 Jun 1980(*)	Vienna	ratified(*)	6 Sep 91	6 Oct 1991
Greece	3 Mar 1980	Vienna	ratified(*)	6 Sep 91	6 Oct 1991
Guatemala	12 Mar 1980	Vienna	ratified	23 Apr 85	8 Feb 1987
Haiti	9 Apr 1980	New York			
Hungary*	17 Jun 1980	Vienna	ratified* <u>1/</u>	4 May 84	8 Feb 1987
Indonesia	3 Jul 1986	Vienna	ratified*	5 Nov 86	8 Feb 1987
Ireland	13 Jun 1980(*)	Vienna	ratified(*)	6 Sep 91	6 Oct 1991
Israel*	17 Jun 1983	Vienna			
Italy*	13 Jun 1980(*)	Vienna	ratified(*)*	6 Sep 91	6 Oct 1991
Japan			acceded	28 Oct 88	27 Nov 1988
Korea, Republic of*	29 Dec 1981	Vienna	ratified*	7 Apr 82	8 Feb 1987
Liechtenstein	13 Jan 1986	Vienna	ratified	25 Nov 86	8 Feb 1987
Luxembourg	13 Jun 1980(*)	Vienna	ratified(*)	6 Sep 91	6 Oct 1991
Mexico			acceded	4 Apr 88	4 May 1988
Mongolia*	23 Jan 1986	New York	ratified* <u>1/</u>	28 May 86	8 Feb 1987
Morocco	25 Jul 1980	New York			

\* Indicates that a reservation/declaration was deposited upon signature/ratification/acceptance/approval/accession.

(\*) signed/ratified as EURATOM Member State.

1/ Indicates that reservation/declaration was subsequently withdrawn.

Netherlands	13 Jun 1980(*)	Vienna	accepted(*)*	6 Sep 91	6 Oct 1991
Niger	7 Jan 1985	Vienna			
Norway	26 Jan 1983	Vienna	ratified	15 Aug 85	8 Feb 1987
Panama	18 Mar 1980	Vienna			
Paraguay	21 May 1980	New York	ratified	6 Feb 85	8 Feb 1987
Philippines	19 May 1980	Vienna	ratified	22 Sep 81	8 Feb 1987
Poland*	6 Aug 1980	Vienna	ratified*	5 Oct 83	8 Feb 1987
Portugal	19 Sep 1984	Vienna	ratified(*)	6 Sep 91	6 Oct 1991
Romania*	15 Jan 1981	Vienna			
South Africa*	18 May 1981	Vienna			
Spain*	7 Apr 1986(*)	Vienna	ratified(*)*	6 Sep 91	6 Oct 1991
Sweden	2 Jul 1980	Vienna	ratified	1 Aug 80	8 Feb 1987
Switzerland	9 Jan 1987	Vienna	ratified	9 Jan 87	8 Feb 1987
Turkey*	23 Aug 1983	Vienna	ratified*	27 Feb 85	8 Feb 1987
Union of Soviet Socialist Republics*	22 May 1980	Vienna	ratified*	25 May 83	8 Feb 1987
United Kingdom of Great Britian and Northern Ireland	13 Jun 1980(*)	Vienna	ratified(*)	6 Sep 91	6 Oct 1991
United States of America	3 Mar 1980	New York/ Vienna	ratified	13 Dec 82	8 Feb 1987
Yugoslavia	15 Jul 1980	Vienna	ratified	14 May 86	8 Feb 1987

**Note:** The Convention entered into force on 8 February 1987, i.e. on the thirtieth day following the deposit of the twenty-first instrument of ratification, acceptance or approval with the Director General pursuant to Article 19, paragraph 1.

6 September 1991

Status: 46 signatories

40 Contracting States/Organizations

PART II

Reservations/Declarations made upon expressing consent to be bound

ARGENTINA

[6 April 1989]<sup>1/</sup>

"In accordance with the provisions of Article 17.3 of the Convention, Argentina does not consider itself bound by either of the dispute settlement procedures provided for in Article 17.2 of the Convention."  
(Original in Spanish; translation by the Secretariat)

BULGARIA

[10 April 1984] <sup>1/</sup>

"The People's Republic of Bulgaria does not consider itself bound by Article 17(2) of the Convention on the Physical Protection of Nuclear Material, according to which any dispute concerning the interpretation or application of the Convention shall, at the request of any party to such dispute, be submitted to arbitration or referred to the International Court of Justice."  
(Originals in English and Bulgarian; supplied by the Government)

CHINA

[10 January 1989] <sup>1/</sup>

"China will not be bound by the two dispute settlement procedures as stipulated in Paragraph 2, Article 17 of the said Convention."  
(Original in Chinese; translation by the Secretariat)

CZECHOSLOVAKIA

[23 April 1982] <sup>1/</sup>

(The following reservation was withdrawn 6 June 1991)

"...that the Czechoslovak Socialist Republic, in accordance with para. 3, Article 17 of the Convention, does not consider itself bound with para. 2 of its Article 17."  
(Originals in English and Czech; supplied by the Government)

EUROPEAN ATOMIC ENERGY COMMUNITY

[6 September 1991]<sup>1/</sup>

"Pursuant to Article 18 (4)(c) of the Convention, [the European Atomic Energy Community] would like to declare:

- (a) that the Member States of the Community are at present Belgium, Denmark, France, Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, and the United Kingdom of Great Britain and Northern Ireland;
- (b) that Articles 7 to 13 of the Convention are not applicable to the Community.

"Further, pursuant to Article 17 (3) of the Convention, [the European Atomic Energy Community] declare[s] that, since only States may be parties in cases before the International Court of Justice, the Community considers itself exclusively bound by the arbitration procedures provided for in Article 17 (2)."  
(Original in English)

<sup>1/</sup> Date of deposit of reservations/declarations.  
(\* signed/ratified as EURATOM Member State.

(Part II continued)

FRANCE

[6 September 1991] 1/(\*)

"(1) In approving the Convention, the French Government expresses the following reservation: the offences described in sub-paragraphs 1(e) and 1(f) of Article 7 of the Convention shall be punished in accordance with the provisions of French penal legislation.

"(2) The French Government declares that the jurisdiction referred to in Article 8, paragraph 4 may not be invoked against it, since the criterion of jurisdiction based on involvement in international nuclear transport as the exporting or importing State is not expressly recognized in international law and is not provided for in French national legislation.

"(3) In accordance with Article 17, paragraph 3, France declares that it does not accept the competence of the International Court of Justice in the settlement of the disputes referred to in paragraph 2 of this article, nor that of the President of the International Court of Justice to appoint one or more arbitrators."

(Original in French; translation by the Secretariat)

GUATEMALA

[23 April 1985] 1/

"The Republic of Guatemala does not consider itself bound by any of the dispute settlement procedures set out in paragraph 2 of Article 17 of the Convention, which provide for the submission of disputes to arbitration or their referral to the International Court of Justice for decision."

(Original in Spanish; translation by the Secretariat)

HUNGARY

[4 May 1984] 1/

(The following reservation was withdrawn 30 Nov. 1989)

Confirms the reservation made upon signature.

(Originals in English and Hungarian; supplied by the Government)

INDONESIA

[5 November 1986] 1/

"The Government of the Republic of Indonesia does not consider itself bound by the provision of Article 17, paragraph 2 of this Convention and take the position that any dispute relating to the interpretation or application of the Convention may only be submitted to arbitration or to the International Court of Justice with the agreement of all the parties to the dispute."

(Originals in English and Indonesian; supplied by the Government)

ITALY

[6 September 1991] 1/(\*)

Confirms the reservations and declaration made upon signature.

(Original in English)

KOREA, REPUBLIC OF

[7 April 1982] 1/

Confirms the reservation made upon signature.

(Original in English)

(Part II continued)

MONGOLIA

[28 May 1986] 1/

(The following reservation was withdrawn 18 June 1990)

Confirms the reservation made upon signature.  
(Originals in English and Mongolian; supplied by the Government)

NETHERLANDS

[6 September 1991] 1/(\*)

"With regard to the obligation to exercise jurisdiction referred to in Article 10 of the Convention on the Physical Protection of Nuclear Material, done at Vienna/New York on 3 March 1980, the Kingdom of the Netherlands makes the reservation, that in cases where the judicial authorities of the Netherlands are unable to exercise jurisdiction on the grounds of one of the principles referred to in Article 8, paragraph 1, of the Convention, the Kingdom shall be bound by this obligation only if it has received an extradition request from a Party to the Convention and the said request has been rejected."

(Original in English)

POLAND

[5 October 1983] 1/

Confirms the reservation made upon signature.  
(Original in French; translation by the Secretariat)

SPAIN

[6 September 1991] 1/(\*)

"The Kingdom of Spain declares, in accordance with paragraph 3 of Article 17 of the Convention, that it does not consider itself bound by the procedure for the settlement of disputes stipulated in paragraph 2 of Article 17."

(Original in Spanish; translation by the Secretariat)

TURKEY

[27 February 1985] 1/

Confirms the reservation made upon signature.  
(Original in English)

UNION OF SOVIET SOCIALIST REPUBLICS

[25 May 1983] 1/

Confirms the reservation made upon signature.  
(Original in Russian; translation by the Secretariat)

PART III

Reservations/declarations made upon signature

ARGENTINA

[28 February 1986] 1/

"In accordance with the provision of Article 17.3, the Republic of Argentina does not consider itself bound by any of the arbitration procedures laid down in Article 17.2 of the Convention."  
(Original in Spanish; translation by the Secretariat)

BULGARIA

[23 June 1981] 1/

"...with the reservation that the People's Republic of Bulgaria does not consider itself bound by Article 17, paragraph 2, of the said Convention."  
(Originals in French and Bulgarian; translation by the Secretariat)

CZECHOSLOVAKIA

[14 September 1981] 1/

"...subject to ratification and subject to Article 17, paragraph 2, under Article 17, paragraph 3 of the Convention."  
(Originals in English and Czech; supplied by the Government)

EUROPEAN ATOMIC ENERGY COMMUNITY

[13 June 1980] 1/

"At present the following States are members of the European Atomic Energy Community: Belgium, Denmark, France, the Federal Republic of Germany, Ireland, Italy, Luxembourg, the Netherlands and the United Kingdom.

"In signing the Convention, the Community declares that, when it has deposited the instrument of approval or acceptance pursuant to Article 18 and the Convention has entered into force for the Community pursuant to Article 19, Articles 7 to 13 of the Convention will not apply to it.

"Furthermore, the Community declares that, because under Article 34 of the Statute of the International Court of Justice only States may be parties in cases before the Court, it can only be bound by the arbitration procedure set out in Article 17(2)."  
(Original in English)

FRANCE

[13 June 1980] 1/(\*)

"Recalling its statement contained in document CPM/90 of 25 October 1979, the French Government declares that the jurisdiction referred to in Article 8, paragraph 4 may not be invoked against it, since the criterion of jurisdiction based on involvement in international nuclear transport as the exporting or importing State is not expressly recognized in international law and is not provided for in French national legislation."

(Part III continued)

FRANCE (continued)

"In accordance with Article 17, paragraph 3, France declares that it does not accept the competence of the International Court of Justice in the settlement of the disputes referred to in paragraph 2 of this article, nor that of the President of the International Court of Justice to appoint one or more arbitrators."

(Original in French; translation by the Secretariat)

HUNGARY

[17 June 1980] 1/

"The Hungarian People's Republic does not consider itself bound by Article 17, paragraph 2, of the Convention, which provides that 'Any dispute of this character which cannot be settled in the manner prescribed in paragraph 1 shall, at the request of any party to such dispute, be submitted to arbitration or referred to the International Court of Justice for decision.'"

(Originals in English and Hungarian; supplied by the Government)

ISRAEL

[17 June 1983] 1/

"In accordance with Article 17, paragraph 3, Israel declares that it does not consider itself bound by the dispute settlement procedures provided for in paragraph 2 of Article 17."

(Original in English)

ITALY

[13 June 1980] 1/(\*)

"1) In connection with Art. 4.2

Italy considers that if assurances as to the levels of physical protection described in annex I have not been received in good time the importing state party may take appropriate bilateral steps as far as practicable to assure itself that the transport will take place in compliance with the aforesaid levels.

"2) In connection with Art. 10

The last words 'through proceedings in accordance with the laws of the state' are to be considered as referring to the whole Article 10.

"Italy considers that international co-operation and assistance for physical protection and recovery of nuclear materials as well as criminal rules and extradition will apply also to the domestic use, storage and transport of nuclear material used for peaceful purposes. Italy also considers that no provision contained in this convention shall be interpreted as precluding the possibility to widen the scope of the convention at the review conference foreseen in Art. 16."

(Original in English)

KOREA, REPUBLIC OF

[29 December 1981] 1/

"... the Government of the Republic of Korea does not consider itself bound by the dispute settlement procedures provided for in Paragraph 2 of Article 17."

(Original in English)



(PART III continued)

MONGOLIA

[23 January 1986] 1/

"...does not consider itself bound by the provisions of para. 2 Article 17 of the Convention, whereby disputes arising out of the interpretation or application of the Convention could be submitted to arbitration or referred to the International Court of Justice for decision at the request of any party to the dispute."  
(Original in English)

POLAND

[6 August 1980] 1/

"The Polish People's Republic does not consider itself bound by the procedure for settlement of disputes laid down in Article 17.2 of the Convention."  
(Originals in French and Polish; translation by the Secretariat)

ROMANIA

[15 January 1981] 1/

"The Socialist Republic of Romania declares that it does not consider itself bound by the provisions of Article 17, paragraph 2 of the Convention on the Physical Protection of Nuclear Material, which state that any dispute concerning the interpretation or application of the Convention which cannot be settled by negotiation or by any other peaceful means of settling disputes shall, at the request of any party to such dispute, be submitted to arbitration or referred to the International Court of Justice for decision.

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

"In signing the Convention on the Physical Protection of Nuclear Material, the Socialist Republic of Romania declares that, in its interpretation, the provisions of Article 18, paragraph 4 refer exclusively to organizations to which the Member States have transferred competence to negotiate, conclude and apply international agreements on their behalf and to exercise the rights and fulfil the responsibilities entailed by such agreements including the right to vote."  
(Original in French; translation by the Secretariat)

SOUTH AFRICA

[18 May 1981] 1/

"In accordance with Article 17, paragraph 3, the Republic of South Africa declares that it does not consider itself bound by the dispute settlement procedures provided for in paragraph 2 of Article 17."  
(Original in English)

SPAIN

[7 April 1986] 1/(\* )

"...in accordance with paragraph 3 of Article 17 of the Convention, Spain does not consider itself bound by the procedure for the settlement of disputes stipulated in paragraph 2 of Article 17."  
(Original in Spanish; translation by the Secretariat)

(PART III continued)

TURKEY

[23 August 1983] 1/

"Turkey, in accordance with Article 17, Paragraph 3, of the Convention does not consider itself bound by Article 17, Paragraph 2 of the Convention."

(Original in English)

UNION OF SOVIET SOCIALIST REPUBLICS

[22 May 1980] 1/

"The Union of Soviet Socialist Republics does not consider itself bound by the provisions of Article 17, paragraph 2 of the Convention that any dispute concerning the interpretation or application of the Convention shall be submitted to arbitration or referred to the International Court of Justice at the request of any party to such dispute."

(Original in Russian; translation by the Secretariat)