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ATOMIC ENERGY



Treaty Series No. 1 (1998)

Convention on Early Notification of a Nuclear Accident

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

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

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

CONVENTION ON EARLY NOTIFICATION OF A NUCLEAR ACCIDENT

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

THE STATES PARTIES TO THIS CONVENTION,

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

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

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

CONVINCED of the need for States to provide relevant information about nuclear accidents as early as possible in order that transboundary radiological consequences can be minimized,

NOTING the usefulness of bilateral and multilateral arrangements on information exchange in this area,

HAVE AGREED as follows:

ARTICLE 1

Scope of application

1. This Convention shall apply in the event of any accident involving facilities or activities of a State Party or of persons or legal entities under its jurisdiction or control, referred to in paragraph 2 below, from which a release of radioactive material occurs or is likely to occur and which has resulted or may result in an international transboundary release that could be of radiological safety significance for another State.
2. The facilities and activities referred to in paragraph 1 are the following:
 - (a) any nuclear reactor wherever located;
 - (b) any nuclear fuel cycle facility;
 - (c) any radioactive waste management facility;
 - (d) the transport and storage of nuclear fuels or radioactive wastes;
 - (e) the manufacture, use, storage, disposal and transport of radioisotopes for agricultural, industrial, medical and related scientific and research purposes; and
 - (f) the use of radioisotopes for power generation in space objects.

ARTICLE 2

Notification and information

In the event of an accident specified in article 1 (hereinafter referred to as a “nuclear accident”), the State Party referred to in that article shall:

- (a) forthwith notify, directly or through the International Atomic Energy Agency (hereinafter referred to as the “Agency”, those States which are or may be physically affected as specified in article 1 and the Agency of the nuclear accident, its nature, the time of its occurrence and its exact location where appropriate; and
- (b) promptly provide the States referred to in sub-paragraph (a), directly or through the Agency, and the Agency with such available information relevant to minimizing the radiological consequences in those States, as specified in article 5.

ARTICLE 3

Other Nuclear Accidents

With a view to minimizing the radiological consequences, States Parties may notify in the event of nuclear accidents other than those specified in article 1.

ARTICLE 4

Functions of the Agency

The Agency shall:

- (a) forthwith inform States Parties, Member States, other States which are or may be physically affected as specified in article 1 and relevant international intergovernmental organizations (hereinafter referred to as “international organizations”) of a notification received pursuant to sub-paragraph (a) of article 2; and
- (b) promptly provide any State Party, Member State or relevant international organization, upon request, with the information received pursuant to sub-paragraph (b) of article 2.

ARTICLE 5

Information to be provided

1. The information to be provided pursuant to sub-paragraph (b) of article 2 shall comprise the following data as then available to the notifying State Party:
 - (a) the time, exact location where appropriate, and the nature of the nuclear accident;
 - (b) the facility or activity involved;
 - (c) the assumed or established cause and the foreseeable development of the nuclear accident relevant to the transboundary release of the radioactive materials;
 - (d) the general characteristics of the radioactive release, including, as far as practicable and appropriate, the nature, probable physical and chemical form and the quantity, composition and effective height of the radioactive release;
 - (e) information on current and forecast meteorological and hydrological conditions, necessary for forecasting the transboundary release of the radioactive materials;
 - (f) the results of environmental monitoring relevant to the transboundary release of the radioactive materials;
 - (g) the off-site protective measures taken or planned;
 - (h) the predicted behaviour over time of the radioactive release.
2. Such information shall be supplemented at appropriate intervals by further relevant information on the development of the emergency situation, including its foreseeable or actual termination.
3. Information received pursuant to sub-paragraph (b) of article 2 may be used without restriction except when such information is provided in confidence by the notifying State Party.

ARTICLE 6

Consultations

A State Party providing information pursuant to sub-paragraph (b) of article 2 shall, as far as is reasonably practicable, respond promptly to a request for further information or consultations sought by an affected State Party with a view to minimizing the radiological consequences in that State.

ARTICLE 7

Competent authorities and points of contact

1. Each State Party shall make known to the Agency and to other States Parties, directly or through the Agency, its competent authorities and point of contact responsible for issuing and receiving the notification and information referred to in article 2. Such points of contact and a focal point within the Agency shall be available continuously.
2. Each State Party shall promptly inform the Agency of any changes that may occur in the information referred to in paragraph 1.
3. The Agency shall maintain an up-to-date list of such national authorities and points of contact as well as points of contact of relevant international organizations and shall provide it to States Parties and Members States and to relevant international organizations.

ARTICLE 8

Assistance to States Parties

The Agency shall, in accordance with its Statute and upon a request of a State Party which does not have nuclear activities itself and borders on a State having an active nuclear programme but not Party, conduct investigations into the feasibility and establishment of an appropriate radiation monitoring system in order to facilitate the achievement of the objectives of this Convention.

ARTICLE 9

Bilateral and multilateral arrangements

In furtherance of their mutual interests, States Parties may consider, where deemed appropriate, the conclusion of bilateral or multilateral arrangements relating to the subject matter of this Convention.

ARTICLE 10

Relationship to other international agreements

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

ARTICLE 11

Settlement of disputes

1. In the event of a dispute between States Parties, or between a State Party and the Agency, concerning the interpretation or application of this Convention, the parties to the dispute shall consult with a view to the settlement of the dispute by negotiation or by any other peaceful means of settling disputes acceptable to them.
2. If a dispute of this character between States Parties cannot be settled within one year from the request for consultation pursuant to paragraph 1, it shall, at the request of any party to such dispute, be submitted to arbitration or referred to the International Court of Justice for decision. Where a dispute is submitted to arbitration, if, within six months from the date of the request, the parties to the dispute are unable to agree on the organization of the arbitration, a party may request the President of the International Court of Justice or the Secretary-General of the United Nations to appoint one or more arbitrators. In cases of conflicting requests by the parties to the dispute, the request to the Secretary-General of the United Nations shall have priority.
3. When signing, ratifying, accepting, approving or acceding to this Convention, a State may declare that it does not consider itself bound by either or both of the dispute settlement procedures provided for in paragraph 2. The other States Parties shall not be bound by a dispute settlement procedure provided for in paragraph 2 with respect to a State Party for which such a declaration is in force.
4. A State Party which has made a declaration in accordance with paragraph 3 may at any time withdraw it by notification to the depositary.

ARTICLE 12

Entry into force

1. This Convention shall be open for signature by all States and Namibia, represented by the United Nations Council for Namibia, at the Headquarters of the International Atomic Energy Agency in Vienna and at the Headquarters of the United Nations in New York, from 26 September 1986 and 6 October 1986 respectively, until its entry into force or for twelve months, whichever period is longer.
2. A State and Namibia, represented by the United Nations Council for Namibia, may express its consent to be bound by this Convention either by signature, or by deposit of an instrument of ratification, acceptance or approval following signature made subject to ratification, acceptance, or approval, or by deposit of an instrument of accession. The instruments of ratification, acceptance, approval or accession shall be deposited with the depositary.
3. This Convention shall enter into force thirty days after consent to be bound has been expressed by three States.¹
4. For each State expressing consent to be bound by this Convention after its entry into force, this Convention² shall enter into force for that State thirty days after the date of expression of consent.

¹ The Convention entered into force on 27 October 1986.

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

5. (a) This Convention shall be open for accession, as provided for in this article, by international organizations and regional integration organizations constituted by sovereign States, which have competence in respect of the negotiation, conclusion and application of international agreements in matters covered by this Convention.
- (b) In matters within their competence such organizations shall, on their own behalf, exercise the rights and fulfil the obligations which this Convention attributes to States Parties.
- (c) When depositing its instrument of accession, such an organization shall communicate to the depositary a declaration indicating the extent of its competence in respect of matters covered by this Convention.
- (d) Such an organization shall not hold any vote additional to those of its Member States.

ARTICLE 13

Provisional application

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

ARTICLE 14

Amendments

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

ARTICLE 15

Denunciation

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

ARTICLE 16

Depositary

1. The Director-General of the Agency shall be the depositary of this Convention.
2. The Director-General of the Agency shall promptly notify States Parties and all other States of:
 - (a) each signature of this Convention or any protocol of amendment;
 - (b) each deposit of an instrument of ratification, acceptance, approval or accession concerning this Convention or any protocol of amendment;
 - (c) any declaration or withdrawal thereof in accordance with article 11;
 - (d) any declaration of provisional application of this Convention in accordance with article 13;
 - (e) the entry into force of this Convention and of any amendment thereto; and
 - (f) any denunciation made under article 15.

ARTICLE 17

Authentic texts and certified copies

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

In witness whereof the undersigned, being duly authorized, have signed this Convention, open for signature as provided for in paragraph 1 of article 12.

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

SIGNATURES AND RATIFICATIONS

<i>State</i>	<i>Date of signature</i>	<i>Date of deposit of instrument of Ratification. Acceptance (A) or Approval (App)</i>
Afghanistan*	26 Sep 1986	
Algeria*	24 Sep 1987	
Australia*	26 Sep 1986	22 Sep 1987
Austria	26 Sep 1986	18 Feb 1988
Belgium	26 Sep 1986	
Brazil	26 Sep 1986	4 Dec 1990
Bulgaria*	26 Sep 1986	24 Feb 1988
Byelorussia*	26 Sep 1986	26 Jan 1987
Cameroon	25 Sep 1987	
Canada*	26 Sep 1986	18 Jan 1990
Chile...	26 Sep 1986	
China*	26 Sep 1986	10 Sep 1987
Costa Rica	26 Sep 1986	16 Sep 1991
Côte d'Ivoire	26 Sep 1986	
Cuba*	26 Sep 1986	8 Jan 1991
Czechoslovakia*	26 Sep 1986	26 Sep 1986
Denmark...	26 Sep 1986	26 Sep 1986
Egypt*	26 Sep 1986	6 Jul 1988

<i>State</i>	<i>Date of signature</i>	<i>Date of deposit of instrument of Ratification, Acceptance (A) or Approval (App)</i>
Finland	26 Sep 1986	11 Dec 1986 (App)
France*	26 Sep 1986	6 Mar 1989
Germany, Democratic Republic*	26 Sep 1986	29 Apr 1987
Germany, Federal Republic	26 Sep 1986	15 Oct 1989
Greece	26 Sep 1986	7 Jul 1991
Guatemala	26 Sep 1986	8 Sep 1988
Holy See	26 Sep 1986	
Hungary*	26 Sep 1986	10 Mar 1987
Iceland	26 Sep 1986	27 Sep 1989
India*	29 Sep 1986	28 Jan 1988
Indonesia*	26 Sep 1986	12 Nov 1993
Iran, Islamic Republic of	26 Sep 1986	
Iraq*	12 Aug 1987	21 Jul 1988
Ireland, Republic of	26 Sep 1986	13 Sep 1991
Israel	26 Sep 1986	25 May 1989
Italy*	26 Sep 1986	8 Feb 1990
Japan	6 Mar 1987	9 Jun 1987 (A)
Jordan	2 Oct 1986	11 Dec 1987
Korea, Democratic People's Republic of *	29 Sep 1986	
Lebanon	26 Sep 1986	
Liechtenstein	26 Sep 1986	
Luxembourg	29 Sep 1986	
Malaysia*	1 Sep 1987	1 Sep 1987
Mali	2 Oct 1986	
Mexico	26 Sep 1986	10 May 1988
Monaco*	26 Sep 1986	19 Jul 1989 (App)
Mongolia*	8 Jan 1987	11 Jun 1987
Morocco	26 Sep 1986	7 Oct 1993
Netherlands*	26 Sep 1986	23 Sep 1991 (A)
Niger	26 Sep 1986	
Nigeria	21 Jan 1987	10 Aug 1990
Norway	26 Sep 1986	26 Sep 1986
Panama	26 Sep 1986	
Paraguay	2 Oct 1986	
Poland*	26 Sep 1986	24 Mar 1988
Portugal	26 Sep 1986	
Russian Federation*	26 Sep 1986	23 Dec 1986
Senegal	15 Jun 1987	
Sierra Leone	25 Mar 1987	
South Africa*	10 Aug 1987	10 Aug 1987
Spain*	26 Sep 1986	13 Sep 1989
Sudan	26 Sep 1986	
Sweden	26 Sep 1986	27 Feb 1987
Switzerland	26 Sep 1986	31 May 1988
Syrian Arab Republic	2 Jul 1987	
Thailand*	25 Sep 1987	21 Mar 1989
Tunisia	24 Feb 1987	24 Feb 1989
Turkey*	26 Sep 1986	3 Jan 1991
Ukraine*	26 Sep 1986	26 Jan 1987
United Kingdom of Great Britain and Northern Ireland*	26 Sep 1986	9 Feb 1990
United States of America*	26 Sep 1986	19 Sep 1988
Yugoslavia*	27 May 1987	8 Feb 1989
Zaire	30 Sep 1986	
Zimbabwe	26 Sep 1986	

* Declaration, Reservation or Objection.

ACCESSIONS

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

* Declarations, Reservations or Objections.

SUCCESSION

<i>State</i>	<i>Date notified</i>
Czech Republic	24 Mar 1993
Slovenia	7 July 1992

DECLARATIONS, RESERVATIONS AND OBJECTIONS

Afghanistan

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

[Original: English]

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

Algeria

On signing the Convention the Government of the People’s Democratic Republic of Algeria made the following declarations:

[Original: French]

Article 11. Settlement of disputes

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

Article 12. Entry into force

Algeria’s signature will be accompanied by the words “subject to ratification”.

Article 13. Provisional application

The People’s Democratic Republic of Algeria declares that it will apply the Convention provisionally in accordance with Article 13.”

Argentina

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

[Original: Spanish]

In accordance with Article 11, paragraph 3, the Argentine Republic does not consider itself bound by any of the dispute settlement procedures provided for in Article 11, paragraph 2 of the Convention.

Australia

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

[Original: English]

“Australia will make any declarations as provided for by the Conventions only upon ratification.”

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

Bulgaria

On signing the Convention the Government of the People’s Republic of Bulgaria made the following declaration:

[Original: Russian]

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

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

Byelorussian Soviet Socialist Republic

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

[Original: Russian]

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

Canada

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

[Original: English]

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

People’s Republic of China

On signing the Convention the Government of the People’s Republic of China made the following declaration:

[Original: English]

“The Government of the People’s Republic of China has decided to sign the Convention on Early Notification of a Nuclear Accident and hereby states the following:

1. China does not consider itself bound by either of the dispute settlement procedures provided for in article 11, paragraph 2, of the Convention.
2. In view of the urgency of the question of nuclear safety, China accepts article 13, the provisionally applicable clause of the Convention before the Convention’s entry into force for China.”

Cuba

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

[Original: Spanish]

With regard to the settlement of disputes as described in article 11 of the Convention on Early Notification of a Nuclear Accident, the Government of Cuba does not consider itself bound by the procedure for referring disputes to the International Court of Justice nor by the decision which the International Court of Justice takes in application of this Convention and which affects Cuba.

Czechoslovakia

On signing the Convention the Government of the Czechoslovakia Socialist Republic made the following declaration:

[Original: English]

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

Egypt

The following declarations were attached to the instrument of ratification deposited by the Government of the Arab Republic of Egypt:

“1. The Arab Republic of Egypt views articles 1 and 2 of the Convention dealing with the scope of application thereof in the light of the official declarations made by the representatives of China, France, the Soviet Union, the United Kingdom and the United States of America as to the readiness of their Governments on a voluntary basis to notify the International Atomic Energy Agency and any other States affected by any accident which is not specified in article 1 of the Convention and which may have transboundary radiological consequences.

2. The Arab Republic of Egypt declares that it does not consider itself bound by any of the procedures for settlement of disputes referred to in article 11, paragraph 2.”

France

On signing the Convention the Government of the French Republic made the following declaration:

[Original: French]

The Government of the French Republic declares, in accordance with paragraph 3 of article 11, that France does not consider itself bound by the provisions of paragraph 2 of that article.

German Democratic Republic

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

[Original: English]

“1. The German Democratic Republic will apply, in accordance with article 13, the Convention on Early Notification of a Nuclear Accident provisionally.

In doing so it does not consider itself bound by the dispute settlement procedure provided for in paragraph 2 of article 11.

2. The German Democratic Republic nominates in accordance with article 7 of the Convention on Early Notification of a Nuclear Accident the National Board for Atomic Safety and Radiation Protection of the German Democratic Republic as competent authority and point of contact.”

Federal Republic of Germany

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

[Original: English]

“1. With reference to article 13 of the aforementioned Convention, the Federal Republic of Germany will as of today, in accordance with the law applicable in the Federal Republic of Germany, apply the Convention provisionally.

2. The Federal Republic of Germany is of the view that in the case of a nuclear accident information about the effects of the accident should also be exchanged between neighbouring States affected by the accident and expresses its wish that also other countries would act accordingly.”

Greece

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

[Original: English]

The Convention on Early Notification of a Nuclear Accident

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

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

Hungary

On signing the Convention the Government of the Hungarian People's Republic made the following reservation which was confirmed upon ratification and subsequently withdrawn:

[Original: English]

“The Hungarian People's Republic does not consider itself bound by the dispute settlement procedures provided for in paragraph 2 of article 11 of the Convention, since, in its opinion, the jurisdiction of any arbitral tribunal or of the International Court of Justice can be founded only on the voluntary prior acceptance of such jurisdiction by all the Parties concerned.”

India

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

[Original: English]

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

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

On ratifying the Convention the Government of India made the following declaration:

[Original: English]

“1. The Government of India considers that the Convention suffers from serious and inherent defects in as much as it differentiates between nuclear weapon states and non-nuclear weapon states. The Convention is defective as it does not contain a legal provision to make it mandatory on the nuclear weapon States to notify accidents involving nuclear weapons or weapon tests. The Government of India feels that the Convention should have provided for notification of nuclear accidents in any nuclear facility, vessel, aircraft, spacecraft, etc. used for peaceful or military purposes as well as nuclear weapons.”

“2. The Government of India is disappointed at the outcome of the Convention because it does not cover all accidents. It should have been a comprehensive Convention covering accidents from whatever source—civil or military, including accidents emanating from nuclear weapons or nuclear weapon tests, since the transboundary effects of radiological safety significance from any source whatsoever, would be equally damaging. Nevertheless, the Government of India has ratified the Convention, in view of the solemn assurances that has been given by the five nuclear weapon States to the effect that they undertake to notify all accidents. This is in keeping with our policy of according to public declarations of state policy equal validity with other international commitments.

3. The Government of India hereby declares that it does not consider itself bound by the dispute settlement procedures provided for in paragraph 2 of Article 11.”

Indonesia

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

[Original: English]

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

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

Iraq

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

[Original: Arabic]

... with a reservation of Article 11.2 with regard to the obligation to accept arbitrators to be appointed by the President of the International Court of Justice or the Secretary-General of the United Nations.

On ratifying the Convention the Government made the following reservation and objection:

1. Iraq does not consider itself bound by* “The provision contained in Article 11, paragraph 2 of the Convention concerning the obligation to accept arbitrators appointed by the President of the International Court of Justice or the Secretary-General of the United Nations.
2. This ratification does not in any way imply recognition of Israel or entering into any relationship with it.

*[Original: Arabic; *preceding words added by translator]*

Israel

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

[Original: English]

“The Government of the State of Israel declares, in accordance with Article 11.3, that Israel does not consider itself bound by the provisions of paragraph 2 of that Article.”

Italy

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

[Original: English]

“The Italian Government, upon signature of the Convention on Early Notification of a Nuclear Accident, declares that the clauses of article 1 are not satisfactory, in so far as they impose to a contracting party the obligation to notify only accidents from which derive the release of radioactive materials, which might transcend or has transcended an international boundary, or could have other consequences outside its jurisdiction or control.

The Italian Government considers that every accident should be notified, also those which have consequences limited to the territory of the State concerned.”

Democratic People's Republic of Korea

On signing the Convention the Government of North Korea made the following statement:

[Original: English]

- “1. The Democratic People's Republic of Korea does not consider itself bound by either of dispute settlement procedures provided for in article 11, paragraph 2, of the Convention on Early Notification of a Nuclear Accident and in article 13, paragraph 2 of the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency.
2. In view of the urgency of the question on nuclear safety the Democratic People's Republic of Korea will apply both conventions provisionally.”

Malaysia

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

[Original: English]

“The Government of Malaysia declares, in accordance with paragraph 3 of Article 11, that Malaysia does not consider itself bound by the dispute settlement procedures provided for in paragraph 2 of that Article”.

Mauritius

On its Accession to the Convention the Government of the Republic of Mauritius made the following declarations:

- “(a)The Government of the Republic of Mauritius regrets that the scope of the Convention on Early Notification of a Nuclear Accident does not also cover nuclear emergencies resulting from military activities which involve nuclear weapons since the potential transboundary radiological effect would be equally injurious;
- (b) In accordance with article (11) paragraph (3) of the Convention on Early Notification of a Nuclear Accident, the Republic of Mauritius does not consider itself bound by the provisions of paragraph (2) article (11) thereof.”

Monaco

On approving the Convention the Government of the Principality of Monaco made the following declaration:

[Original: French]

“The Principality of Monaco declares, in conformity with paragraph 3 of Article 11, that it does not consider itself bound by the provisions of paragraph 2 of that Article”.

Mongolia

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

[Original: Mongolian]

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

Netherlands

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

[Original: English]

“...declares today on the occasion of the signing of the Convention on Early Notification of a Nuclear Accident, and in accordance with Article 13 of that Convention, that his Government, anticipating the entry into force of the Convention for the Kingdom of the Netherlands, will apply its provisions provisionally. This provisional application will come into effect thirty days from today, or, in case the Convention will not be in force for at least one other State at that time, on the date on which the Convention will have become applicable to one other State either by means of entry into force or by means of a declaration of provisional application.”

Norway

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

[Original: English]

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

Pakistan

On its accession to the Convention the Government of the Islamic Republic of Pakistan made the following Reservation:

“The Islamic Republic of Pakistan does not consider itself bound by the provisions of Article 11, paragraph 2 which provides the possibility for submission of disputes to arbitration or to the International Court of Justice at the request of any party to such dispute and declares that for the submission of any international dispute to arbitration or to the International Court of Justice, the consent of all parties concerned in each individual case is necessary.”

Poland

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

[Original: English]

“The Government of the Polish People's Republic declares, that it will provisionally apply the Convention on Early Notification of a Nuclear Accident adopted at the Special Session of the General Conference on the International Atomic Energy Agency in Vienna on 26 September 1986, with the exception of article 11, paragraph 2, over the period between its entry into force and ratification.”

Romania

On its Accession to the Convention the Government of Socialist Republic of Romania made the following statement:

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

“Romania does not consider itself bound by the provisions of Article 11, paragraph 2 of the Convention on Early Notification of a Nuclear Accident and Article 13, paragraph 2 of the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency and declares that the submission of any international dispute on the

interpretation or the application of those Conventions to arbitration or its referral to the International Court of Justice requires the agreement of all the parties to the dispute.”

Russian Federation

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

[Original: English]

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

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

On December 26 1991 the Russian Federation declared “in all conventions, agreements and other international legal instruments, which were concluded within its [the Agency’s] framework or under its aegis is continued by the Russian Federation and in this connection in the IAEA the name ‘The Russian Federation’ should be used in the place of the name ‘The Union of Soviet Socialist Republics’.”

Saudi Arabia

On its Accession to the Convention the Government of the Kingdom of Saudi Arabia made the following reservations:

[Original: English]

Convention on Early Notification of a Nuclear Accident

“(1) The Government of the Kingdom of Saudi Arabia declares that the provisions of Article 1 are unsatisfactory in that they impose on the States Parties the obligation to notify only those accidents resulting in a release of radioactive material which has crossed or may cross an international boundary or those which may have consequences outside their jurisdiction and control. The Government of the Kingdom of Saudi Arabia considers that all accidents should be notified, including those with consequences limited to the territory of the State concerned, regardless of the source of the accident, whether civil or military, including accidents resulting from nuclear weapons or nuclear-weapons tests, since transboundary effects from any source which have safety significance may cause harm to all without distinction.

(2) In accordance with paragraph 3 of Article 11 the Government of the Kingdom of Saudi Arabia declares that it does not consider itself bound by any of the dispute settlement procedures provided for in paragraph 2 of that Article.

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

Slovenia

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

“the Republic of Slovenia in principle acknowledges the continuity of treaty rights and obligations under the international treaties concluded by the former SFR Yugoslavia before 25 June 1991” and, based on that position and the resolution of the Parliament of Slovenia of 1 July 1992, “of the intention of the Republic of Slovenia to be considered, in

respect of the territory of the Republic of Slovenia, a party, by virtue of succession to the SFR Yugoslavia,” to the relevant treaties, including the Convention on Early Notification of a Nuclear Accident.

South Africa

On signing and ratifying the Convention the Government of South Africa made the following declarations:

“(a) the Government of the Republic of South Africa does not consider itself bound by either of the dispute settlements provided for in Article 11, paragraph 2, of the Convention.

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

Spain

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

“The Kingdom of Spain does not consider itself bound by the procedures for the settlement of disputes stipulated in paragraph 2 of article 11 of the Convention on Early Notification of a Nuclear Accident.”

Thailand

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

[Original: English]

“In accordance with paragraph 3 of Article 11 of the Convention on Early Notification of a Nuclear Accident, Thailand does not consider itself bound by the dispute settlement procedures provided for in paragraph 2 of that Article.”

On ratifying the Convention the Government made the following statement:

“Thailand does not consider itself bound by both of the dispute settlement procedures provided for in paragraph 2 of Article 11.”

Turkey

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

[Original: English]

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

Ukrainian Soviet Socialist Republic

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

[Original: Russian]

The Ukrainian SSR also declares that it accepts provisionally the obligations under the Conventions in question from the time of their signature and until their ratification. The Ukrainian SSR will not consider itself bound by the provisions of article 11, paragraph 2 of the Convention on Early Notification of a Nuclear Accident and article 13, paragraph 2 of the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, which envisage the possibility of submitting a dispute between States Parties

to arbitration or referring it to the International Court of Justice at the request of any party, and states that for the submission of any international dispute to arbitration or referral to the International Court of Justice the agreement of all parties in each individual case is necessary.

United Arab Emirates

On its Accession to the Convention the Government of the United Arab Emirates made the following declaration:

[Original: English]

“The Government of the United Arab Emirates, in accordance with paragraph 3 of Article 11, does not consider itself bound by the provisions of paragraph 2 of that article.”

United Kingdom

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

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

The United Kingdom Resident Representative affirms that, having regard to article 3 of the Convention, and as stated by the United Kingdom Secretary of State for Energy in his address to the Special Session of the General Conference on 24 September, the United Kingdom would in practice notify the IAEA and affected states in the event of an accident to military facilities or equipment which, although not of the type specified in article 1 of the Convention, had or might have the consequence specified in that article.”

On ratifying the Convention the Government made the following declaration:

“The United Kingdom Government affirms that, having regard to Article 3 of the Convention, and as stated by the United Kingdom Secretary of State for Energy in his address to the Special Session of the General Conference on 24 September 1986, the United Kingdom would in practice notify the IAEA and affected states in the event of an accident to military facilities or equipment which, although not of the type specified in Article 1 of the Convention, had or might have the consequences specified in that Article.”

United States of America

On signing the Convention the Government of the United States of America made the following statement:

[Original: English]

“As provided in paragraph 3 of article 11, the United States declares that it does not consider itself bound by either of the dispute settlement procedures provided for in paragraph 2 of the article.”

Vietnam

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

[Original: French]

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

to the International Court of Justice requires the agreement of all the parties in each particular case.

Yugoslavia

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

inter alia, the Federal Republic of Yugoslavia (Serbia and Montenegro) “shall continue to fulfil all the rights conferred to and obligations assumed by the Socialist Federal Republic of Yugoslavia in international relations, including ... participation in international treaties ratified or acceded to by Yugoslavia”.

Food and Agriculture Organization

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

“Pursuant to Article 12, paragraph 5(c), the Director-General of FAO declares that, within its constitutional mandate to monitor and evaluate the world food security situation, the Food and Agriculture Organization of the United Nations is competent to assess the qualitative and quantitative effects of all contaminants including radionuclides on food supplies, and to advise governments on acceptable levels of radionuclides appearing in agricultural, fisheries and forestry products entering national and international trade.”

World Health Organization

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

[Original: English]

“In conformity with paragraph 5(c) of Article 12, the Director-General of WHO declares that the World Health Organization is competent to act as the directing and co-ordinating authority in international health work in matters covered by the Convention, and to provide related assistance upon the request or acceptance of governments, without prejudice to the national competence of each of its Member States.”

World Meteorological Organization

On Accession the World Meteorological Organization made this declaration.

“I, the undersigned, Prof. G. O. P. Obasi, Secretary-General of the World Meteorological Organization, declare in accordance with paragraph five (c) of Article twelve of the Convention on Early Notification of a Nuclear Accident adopted at Vienna on the twenty-sixth day of September, one thousand nine hundred and eighty-six that the World Meteorological Organization has competence in respect of the negotiation, conclusion and application of international agreements in matters covered by this Convention to the extent of fulfilling the purposes of the Organization as laid down in article two of the Convention of the World Meteorological Organization.”

Objections

Israel

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

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

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

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

Russian Federation

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

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

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

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