

### Declarations/reservations made upon expressing consent to be bound and objections thereto

**Belarus, Republic of****accepted 02 Dec 1966**

"The Byelorussian Soviet Socialist Republic does not consider itself bound by the provisions of Sections 26 and 34 of the Agreement, under which there is an obligation to submit to the jurisdiction of the International Court of Justice. With regard to the question of referring to the International Court of Justice differences arising out of the interpretation or application of the Agreement, the Byelorussian SSR adheres as before to the position that the consent of all parties involved in a dispute must be obtained in each individual case before that dispute can be referred to the International Court of Justice. This reservation applies equally to the provision in Section 34 that the opinion given by the Court shall be accepted as decisive." (Original Russian, translation by the Secretariat)

**Belgium, Kingdom of****accepted 26 Oct 1965**

"In accordance with Article XII, Section 38 of the Agreement on the Privileges and Immunities of the International Atomic Energy Agency, approved by the Board of Governors at Vienna on 1 July 1959. The Government of the Kingdom of Belgium hereby excludes from the application of the said Agreement the provisions contained in the last sentence of Article VI, Section 20." (Original French; translation by the Secretariat)

**Bosnia and Herzegovina****accepted 11 Jun 2009**

"1. The privileges and immunities foreseen by the Agreement shall not apply to any citizens of Bosnia and Herzegovina who are locally-recruited to serve in the country.

2. The provisions of article VI, section 18, item A, paragraph (iii), relating to immigration restrictions and alien registration, shall apply to officials of the Agency, their spouses and dependent children.

3. With regard to article X, section 34, which stipulates the jurisdiction of the International Court of Justice in unresolved disputes, which may arise in the interpretation and application of this Agreement - the consent of all parties to the dispute must be obtained in each individual case before that dispute is referred to the International Court of Justice." (Original English)

**Bulgaria, Republic of****accepted 17 Jun 1968**

"The People's Republic of Bulgaria does not consider itself bound by the provisions of Sections 26 and 34 of the Agreement. The People's Republic of Bulgaria considers that a dispute on the interpretation and application of the Agreement may be referred to the International Court of Justice only after the parties to the dispute have given their consent in respect of each individual case. This reservation applies equally to Section 34, which states that the opinion of the Court shall be accepted as decisive by the parties." (Original Bulgarian; translation by the Secretariat from a certified French translation furnished by the Government)

An amended version of this reservation was communicated in a Note dated 19 April 1994. It reads: "... has withdrawn the following reservations ... in respect of Section 34 of the Agreement on the Privileges and Immunities of the International Atomic Energy Agency."

**Canada****accepted 15 Jun 1966**

".... exemption from liability for any taxes or duties imposed by any law in Canada should not extend to a Canadian citizen residing or ordinarily resident in Canada." (Original English)

**Chile, Republic of****accepted 08 Dec 1987**

"(a) The Government of Chile enters a reservation to the effect that the privileges and immunities granted to the officials of the International Atomic Energy Agency shall not extend to Chilean nationals serving in Chile as officials of the Agency;

(b) The Government of Chile enters a reservation regarding the provisions of Section 4 in the sense that, in accordance with Chilean constitutional practice and domestic law, the property and assets of the International Atomic Energy Agency may be expropriated under a general or special enactment authorizing expropriation on grounds of public importance or national interest, as established by the legislator." (Original Spanish; translation by the Secretariat)

**China, People's Republic of****accepted 16 Jul 1984**

".... it has reservations on Sections 26 and 34, which stipulate that differences shall be referred to the International Court of Justice and the opinion given by the Court shall be accepted as decisive by the parties to the difference." (Original Chinese, with official English translation)

A Note explaining the reservations reads as follows:

"The reservations referred to in the said agreement are not intended on the entire provisions of Section 26 of the Agreement, but only on those provisions regarding the reference of differences to the International Court of Justice and the decisiveness of opinions of the Court." (Original English)

**Cuba, Republic of****accepted 24 Aug 1982**

"The Republic of Cuba does not consider itself bound by the provisions of Sections 26 and 34 of Articles VIII and X of the Agreement on the Privileges and Immunities of the International Atomic Energy Agency under which the International Court of Justice shall have obligatory jurisdiction in differences which may arise out of the Interpretation or application of the Agreement. With regard to the competence of the International Court of Justice on such matters, Cuba holds that for a difference to be referred to the Court for settlement the consent of all parties involved must be obtained in each particular case." (Original Spanish; translation by the Secretariat)

**Denmark, Kingdom of****accepted 14 Mar 1962**

"Notwithstanding Sections 20 and 32, the Danish Government reserve the right to apply the Danish legislation concerning duties and excise taxes to Danish citizens, and to other persons insofar as they conduct private business in Denmark." (Original English)

**Germany, Federal Republic of****accepted 04 Aug 1960**

"The Government ..... reserves, with reference to Article VI, Section 18(a)(ii) of said Agreement, the right to tax citizens of the Federal Republic of Germany inasmuch as this right has not been renounced by double taxation treaties." (Original English)

**Hungary, Republic of****accepted 14 Jul 1967**

"The Hungarian People's Republic accepts Sections 26 and 34 of the Agreement with the reservation that disputes regarding the interpretation and application of the Agreement shall be referred to the International Court of Justice only with the consent of all parties involved in the given dispute.

The Hungarian People's Republic makes a reservation also with regard to the provision in Section 34 making the advisory opinion of the Court decisive in certain cases." (Original Hungarian; certified English translation furnished by the Government)

**Indonesia, Republic of****accepted 04 Jun 1971**

"Article II, Section 2(b):

The capacity of the International Atomic Energy Agency to acquire and dispose of immovable property shall be exercised with due regard to national laws and regulations.

Article X, Section 34:

With regard to the competence of the International Court of Justice in disputes concerning the interpretation or application of the Convention, the Government of Indonesia reserves the right to maintain that in every individual case the agreement of the parties to the dispute is required before the Court for a ruling.

Article VI, Section 18:

The concessions and privileges conferred by the Agreement on the employees of the Agency, other than those which also follow from Article XV of the Statute, such as immunity from legal process in respect of words spoken or written and all acts performed by them in their official capacity, should not be admissible to the Indonesian Nationals serving on the staff of the Agency in Indonesia." (Original English)

**Italy (Italian Republic)****accepted 20 Jun 1985**

"1. With regard to the exemption from taxation referred to in Section 18 (a)(ii) of Article VI of the Agreement, the Italian Government reserves the right to take into account the total amount of salaries and emoluments received by the Italian officials of the Agency resident in Italy and by other officials of the Agency permanently resident in Italy, for the purposes of possible taxation of income derived from other sources in Italy."

"2. The immunity from legal process referred to in Article III, Section 3, Article V, Section 12(a), Article VI, Section 18(a)(i) and Article VII, Section 23(a) and (b) of the Agreement shall not apply either in the case of a civil action instituted by a third party for damages resulting from an accident caused by a motor vehicle belonging to an official of the Agency, a representative of a Member at meetings convened by the Agency or an expert on mission for the Agency, or in the case of violations of traffic laws involving the above vehicles." (Original French; translation by the Secretariat)

**Jordan, Hashemite Kingdom of****accepted 27 Oct 1982**

"The privileges and immunities recognized under this agreement shall not be extended to the officials of the IAEA who are Jordanian nationals if their station is in Jordan itself." (Original English)

**Korea, Republic of****accepted 17 Jan 1962**

"Locally recruited personnel who are considered as officials of the Agency under the Agreement shall not enjoy the privileges and immunities set forth in paragraphs (ii), (iii), (iv), (v) and (vi) of Section 18, and Section 19." (Original Korean; English translation furnished by the Government)

**Luxembourg, Grand Duchy of****accepted 24 Mar 1972**

"In applying the provisions of Article XII, Section 38 of the Agreement, Luxembourg will not give effect to the last sentence of Article VI, Section 20." (Original French; translation by the Secretariat)

**Mexico (United Mexican States)****accepted 19 Oct 1983**

"1. In acceding to the Agreement on the Privileges and Immunities of the Agency, which was adopted on 1 July 1959, the Mexican Government declares that the capacity to acquire and dispose of immovable property, mentioned in Article II, Section 2 of the Agreement, shall be subject to applicable national legislation.

2. Agency officials and experts of Mexican nationality, in the exercise of their functions in Mexican territory, shall enjoy only those privileges which are conferred, as appropriate, by sub-paragraphs (i), (iii) and (vi) of Section 18 and paragraphs (a), (b), (c), (d) and (f) of Section 23, on the understanding that the inviolability mentioned in sub-paragraph (c) of Section 23 shall be granted only for official papers and documents.

3. The Provisions relating to the holding of funds, gold or currency of any kind and of accounts in any currency and to the transfer and convertibility of such currency in Mexican territory shall be subject to the relevant legal provisions in force."

A Note explaining the reservation contained in paragraph 3 reads as follows:

"The Government of Mexico interprets this reservation to mean that the relevant legal provisions will be implemented in such a way as not to impede or impair the effective execution of the technical assistance and co-operation programmes in which Mexico is participating." (Original Spanish; translation by the Secretariat)

**Morocco, Kingdom of****accepted 30 Mar 1977**

"The IAEA shall take due account of the national laws and regulations in acquiring and possessing immovable property in Morocco;

The privileges and immunities recognized under the Agreement shall not be extended to the officials of the IAEA who are Moroccan nationals serving in Morocco;

In the case of disputes, any recourse to the International Court of Justice shall be based on the consent of all the parties concerned." (Original Arabic; translation by the Secretariat from a French translation furnished by the Government)

**Netherlands, Kingdom of the****accepted 29 Aug 1963**

On 6 June 2011, the Netherlands provided the Agency with a status report relating to this Agreement, whereby the Agreement applies to: The Netherlands (European part) as of 29 August 1963, the Caribbean part of the Netherlands (the Islands of Bonaire, Sint Eustatius and Saba) as of 10 October 2010, Aruba as of 1 January 1986, Curaçao as of 10 October 2010 and Sint Maarten as of 10 October 2010.

In addition, the following declaration was made:

"For the purpose of the implementation of the Agreement, the term "country" in Article III, Sections 6(b) and 8(b) and in Article VI, Section 18(a)(vi) shall be understood to mean "any of the individual countries of the Kingdom (viz the Netherlands, Aruba, Curaçao and Sint Maarten)".

In Article VIII, Section 27, the term "country" shall, however, be understood to mean "the Kingdom of the Netherlands".

(Original in English)

**Oman, Sultanate of****accepted 03 Aug 2010**

"In accordance with the text of Article XII. Section 38 of the Agreement, the Sultanate of Oman expresses its reservation in respect of the following Sections:

## Article II. Section 2 (b):

The Agency shall take into consideration the national laws and legal regulations relating to the acquisition and disposal of any immovable property in the Sultanate of Oman.

## Article VI. Section 18:

The privileges and immunities in this Section are not applicable to officials of the Agency who have Omani citizenship during the performance of their work in the Sultanate of Oman.

## Article X. Section 34:

The Sultanate of Oman is not bound by the established modes for solving and settling disputes, provided for in this Section. There shall be no referral to the International Court of Justice for any case of dispute without the consent of all the parties in the dispute."

(Original Arabic; translation by the Secretariat)

**Pakistan, Islamic Republic of****accepted 16 Apr 1963**

" ... with the reservation that the concessions and privileges conferred by the Agreement on the employees of the Agency should not be admissible to the Pakistani nationals serving on the staff of the Agency in Pakistan." (Original English)

An amended version of this reservation was communicated in a Note dated 29 September 1966. It reads: " .... with the reservation that the concessions and privileges conferred by the Agreement on the employees of the Agency, other than those which also follow from Article XV of the Statute, such as immunity from legal process in respect of words spoken or written and all acts performed by them in their official capacity, should not be admissible to the Pakistani nationals serving on the staff of the Agency in Pakistan." (original English)

**Portugal (Portuguese Republic)****accepted 27 Nov 2006**

" (A)Article V, Section 12(d) and Article VI, Section 18(a)(iii): the provisions of the Vienna Convention on Diplomatic Relations (1961) shall apply, without exemption from formalities, especially with regard to notification (Article 10);

(B)Article VI, Section 18(a)(ii): IAEA officials who are recruited locally, whether of Portuguese nationality or foreigners residing permanently in Portugal, shall not enjoy this exemption."

(Original in Portuguese and French; translation by the Secretariat)

**Republic of Moldova****accepted 22 Dec 2008**

"Until the full re-establishment of the territorial integrity of the Republic of Moldova, the provisions of the Agreement will be applied only on the territory controlled effectively by the authorities of the Republic of Moldova." (Original in English and Moldovan)

**Romania****accepted 07 Oct 1970**

".... the Socialist Republic of Romania does not consider itself bound by the provisions of Section 34, or by the provisions of Section 26 to the extent that they refer to Section 34. The Socialist Republic of Romania holds the view that differences arising out of the interpretation or application of the Agreement may be referred to the International Court of Justice only with the consent, in each individual case, of all parties to the dispute." (Original French; translation by Secretariat)

**Russian Federation****accepted 01 Jul 1966**

"... does not consider itself bound by the provisions of Sections 26 and 34 of the Agreement, under which there is an obligation to submit to the jurisdiction of the International Court of Justice. With regard to the question of referring to the International Court of Justice differences arising out of the interpretation or application of the Agreement, the [Russian Federation] adheres as before to the position that the consent of all parties involved in a dispute must be obtained in each individual case before that dispute can be referred to the International Court of Justice. This reservation applies equally to the provision in Section 34 that the opinion given by the Court shall be accepted as decisive." (Original Russian; translation by the Secretariat)

**Singapore, Republic of****accepted 19 Jul 1973**

".... officials of the Agency, who are Singapore citizens shall not enjoy exemption from taxation on salaries and emoluments paid to them by the Agency." (Original English)

**South Africa, Republic of****accepted 13 Sep 2002**

"1. The Government of the Republic of South Africa does not consider itself bound by the provisions of Article III, Section 6 in so far as it relates to the buying, selling and holding of gold as certain limitations exist in the Republic regarding the buying, selling and holding of gold.

Explanatory note: the buying, selling and holding of gold in the Republic is regulated. In terms of Exchange Control Regulation 2 no person other than an Authorised Dealer may buy or borrow any gold from, or sell to, any person not being an Authorised Dealer, unless exemption from Exchange Control Regulation 5 has been authorised (Mining Houses and Mining Producers may elect to sell their total gold holdings to the approved counter parties, including foreign counter parties, provided that the Exchange Control Department of the South African Reserve Bank has given the necessary exemption from the aforementioned regulation).

2. The Government of the Republic of South Africa does not undertake to apply the exemption from taxation in respect of salaries and emoluments referred to in Article VI, Section 18(a)(ii) of the Agreement in respect of any South African citizen who is ordinarily resident in South Africa.

3. Pending a decision by the Government of the Republic of South Africa on the compulsory jurisdiction of the International Court of Justice, the Government of the Republic does not consider itself bound by the terms of Article X, Section 34 of the Agreement which provides for the compulsory jurisdiction of the International Court of Justice in differences arising out of the interpretation or application of the Agreement. The Republic will adhere to the position that, for the submission of a particular dispute for settlement by the International Court, the consent of all the parties to the dispute is required in every individual case. This reservation is equally applicable to the provisions contained in the said section, which stipulate that the advisory opinion of the International Court is to be accepted as decisive."

**Switzerland (Swiss Confederation)****accepted 16 Sep 1969**

"With regard to Article VI, Section 19, second paragraph, Switzerland reserves the right not to grant the deferments in call-up requested by the Agency, it being understood however that such requests will receive sympathetic consideration on the part of the competent Federal authorities." (Original French; translation by the Secretariat)

**Thailand, Kingdom of****accepted 15 May 1962**

". . . with the reservation that the officials of the Agency to be accorded privileges and immunities according to this Agreement who are of Thai nationality shall not be immune from national service obligation." (Original English)

**Turkey, Republic of****accepted 26 Jun 1978**

"A) With regard to the postponement of national service of Turkish nationals who will be recruited by the International Atomic Energy Agency with reference to Section 19 of the said Agreement, relevant Turkish legislation shall be applied.

B) The officials of Turkish nationality who will be missioned in Turkey by the International Atomic Energy Agency, shall be subject to the taxes levied on Turkish nationals. They shall, in accordance with the provisions of part 4, Section 2 of Income Tax Law No. 5421, inform their wages by means of annual declarations." (Original English)

**Ukraine****accepted 05 Oct 1966**

"The Ukrainian Soviet Socialist Republic does not consider itself bound by the provisions of Sections 26 and 34 of the Agreement, under which there is an obligation to refer to the International Court of Justice all disputes arising out of the interpretation or application of the Agreement. With regard to the question of the Court's Jurisdiction in respect of such disputes, the Ukrainian SSR continues to take the view that the consent of all parties involved in a dispute must be obtained in each individual case before that dispute can be referred to the International Court of Justice. This reservation applies equally to the provision in Section 34 that the advisory opinion given by the Court shall be accepted by the parties as decisive."  
(Original Russian; translation by the Secretariat)