



International Atomic Energy Agency  
**INFORMATION CIRCULAR**

**INF**

*IAEA-* INFCIRC/274/Rev.1/Add.6  
28 February 1997

GENERAL Distr.  
ENGLISH



XA9743826

**CONVENTION ON THE PHYSICAL PROTECTION OF NUCLEAR MATERIAL**

- Part I      Status list as of 31 December 1996, pages 1-2
- Part II     Texts of reservations/declarations made upon or following expressing consent to be bound, pages 3-5
- Part III    Texts of reservations/declarations made upon signature, pages 6-8

This document includes the information given in document INFCIRC/274/Rev.1/Add.5. It accordingly supersedes that document.

*L*

## CONVENTION ON THE PHYSICAL PROTECTION OF NUCLEAR MATERIAL

Signature, ratification, acceptance, approval, accession or succession  
by States or organizations  
Status as of 31 December 1996

| <u>State/Organization</u> | <u>Date of signature</u> | <u>Means/date of deposit of expression of consent to be bound</u> | <u>Entry into Force</u> |
|---------------------------|--------------------------|-------------------------------------------------------------------|-------------------------|
| Antigua/Barbuda           |                          | acceded 4 Aug 93                                                  | 3 Sep 1993              |
| Argentina*                | 28 Feb 1986              | ratified* 6 Apr 89                                                | 6 May 1989              |
| Armenia                   |                          | acceded 24 Aug 93                                                 | 23 Sep 1993             |
| Australia                 | 22 Feb 1984              | ratified 22 Sep 87                                                | 22 Oct 1987             |
| Austria                   | 3 Mar 1980               | ratified 22 Dec 88                                                | 21 Jan 1989             |
| Belarus                   |                          | succession notified* 9 Sep 93                                     | effect from 14 Jun 1993 |
| Belgium                   | 13 Jun 1980(*)           | ratified(*) 6 Sep 91                                              | 6 Oct 1991              |
| Brazil                    | 15 May 1981              | ratified 17 Oct 85                                                | 8 Feb 1987              |
| Bulgaria*                 | 23 Jun 1981              | ratified* <sup>1/</sup> 10 Apr 84                                 | 8 Feb 1987              |
| Canada                    | 23 Sep 1980              | ratified 21 Mar 86                                                | 8 Feb 1987              |
| Chile                     |                          | acceded 27 Apr 94                                                 | 27 May 1994             |
| China                     |                          | acceded 10 Jan 89                                                 | 9 Feb 1989              |
| Croatia                   |                          | succession notified 29 Sep 92                                     | effect from 8 Oct 1991  |
| Czech Republic            |                          | succession notified 24 Mar 93                                     | effect from 1 Jan 1993  |
| Denmark                   | 13 Jun 1980(*)           | ratified(*) 6 Sep 91                                              | 6 Oct 1991              |
| Dominican Republic        | 3 Mar 1980               |                                                                   |                         |
| Ecuador                   | 26 Jun 1986              | ratified 17 Jan 96                                                | 16 Feb 1996             |
| Estonia                   |                          | acceded 9 May 94                                                  | 8 Jun 1994              |
| EURATOM*                  | 13 Jun 1980              | confirmed* 6 Sep 91                                               | 6 Oct 1991              |
| Finland                   | 25 Jun 1981              | accepted 22 Sep 89                                                | 22 Oct 1989             |
| France*                   | 13 Jun 1980(*)           | approved(*)* 6 Sep 91                                             | 6 Oct 1991              |
| Germany                   | 13 Jun 1980(*)           | ratified(*) 6 Sep 91                                              | 6 Oct 1991              |
| Greece                    | 3 Mar 1980               | ratified(*) 6 Sep 91                                              | 6 Oct 1991              |
| Guatemala                 | 12 Mar 1980              | ratified 23 Apr 85                                                | 8 Feb 1987              |
| Haiti                     | 9 Apr 1980               |                                                                   |                         |
| Hungary*                  | 17 Jun 1980              | ratified* <sup>1/</sup> 4 May 84                                  | 8 Feb 1987              |
| Indonesia                 | 3 Jul 1986               | ratified* 5 Nov 86                                                | 8 Feb 1987              |
| Ireland                   | 13 Jun 1980(*)           | ratified(*) 6 Sep 91                                              | 6 Oct 1991              |
| Israel*                   | 17 Jun 1983              |                                                                   |                         |
| Italy*                    | 13 Jun 1980(*)           | ratified(*)* 6 Sep 91                                             | 6 Oct 1991              |
| Japan                     |                          | acceded 28 Oct 88                                                 | 27 Nov 1988             |
| Korea, Rep.of*            | 29 Dec 1981              | ratified* 7 Apr 82                                                | 8 Feb 1987              |
| Liechtenstein             | 13 Jan 1986              | ratified 25 Nov 86                                                | 8 Feb 1987              |
| Lithuania                 |                          | acceded 7 Dec 93                                                  | 6 Jan 1994              |
| Luxembourg                | 13 Jun 1980(*)           | ratified(*) 6 Sep 91                                              | 6 Oct 1991              |

\*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

| <u>State/Organization</u>                    | <u>Date of signature</u> | <u>Means/date of deposit<br/>of expression of<br/>consent to be bound</u> | <u>Entry into Force</u>    |
|----------------------------------------------|--------------------------|---------------------------------------------------------------------------|----------------------------|
| Mexico                                       |                          | acceded 4 Apr 88                                                          | 4 May 1988                 |
| Monaco                                       |                          | acceded 9 Aug 96                                                          | 8 Sep 1996                 |
| Mongolia*                                    | 23 Jan 1986              | ratified* <sup>1/</sup> 28 May 86                                         | 8 Feb 1987                 |
| Morocco                                      | 25 Jul 1980              |                                                                           |                            |
| Netherlands                                  | 13 Jun 1980(*)           | accepted(*)* 6 Sep 91                                                     | 6 Oct 1991                 |
| Niger                                        | 7 Jan 1985               |                                                                           |                            |
| Norway                                       | 26 Jan 1983              | ratified 15 Aug 85                                                        | 8 Feb 1987                 |
| Panama                                       | 18 Mar 1980              |                                                                           |                            |
| Paraguay                                     | 21 May 1980              | ratified 6 Feb 85                                                         | 8 Feb 1987                 |
| Peru                                         |                          | acceded* 11 Jan 95                                                        | 10 Feb 1995                |
| Philippines                                  | 19 May 1980              | ratified 22 Sep 81                                                        | 8 Feb 1987                 |
| Poland*                                      | 6 Aug 1980               | ratified* 5 Oct 83                                                        | 8 Feb 1987                 |
| Portugal                                     | 19 Sep 1984              | ratified(*) 6 Sep 91                                                      | 6 Oct 1991                 |
| Romania*                                     | 15 Jan 1981              | ratified 23 Nov 93                                                        | 23 Dec 1993                |
| Russian Federation*                          | 22 May 1980              | ratified* 25 May 83                                                       | 8 Feb 1987                 |
|                                              |                          | continued 26 Dec 91                                                       |                            |
| Slovak Republic                              |                          | succession 10 Feb 93                                                      | effect from<br>1 Jan 1993  |
|                                              |                          | notified                                                                  |                            |
| Slovenia                                     |                          | succession 7 Jul 92                                                       | effect from<br>25 Jun 1991 |
|                                              |                          | notified                                                                  |                            |
| South Africa*                                | 18 May 1981              |                                                                           |                            |
| Spain*                                       | 7 Apr 1986(*)            | ratified(*)* 6 Sep 91                                                     | 6 Oct 1991                 |
| Sweden                                       | 2 Jul 1980               | ratified 1 Aug 80                                                         | 8 Feb 1987                 |
| Switzerland                                  | 9 Jan 1987               | ratified 9 Jan 87                                                         | 8 Feb 1987                 |
| Tajikistan                                   |                          | acceded 11 Jul 96                                                         | 10 Aug 1996                |
| The former Yugoslav Republic of<br>Macedonia |                          | succession 20 Sep 96                                                      | effect from<br>17 Nov 1991 |
|                                              |                          | notified                                                                  |                            |
| Tunisia                                      |                          | acceded 8 Apr 93                                                          | 8 May 1993                 |
| Turkey*                                      | 23 Aug 1983              | ratified* 27 Feb 85                                                       | 8 Feb 1987                 |
| Ukraine                                      |                          | acceded 6 Jul 93                                                          | 5 Aug 1993                 |
| United Kingdom                               | 13 Jun 1980(*)           | ratified(*)* 6 Sep 91                                                     | 6 Oct 1991                 |
| United States                                | 3 Mar 1980               | ratified 13 Dec 82                                                        | 8 Feb 1987                 |
| Yugoslavia                                   | 15 Jul 1980              | ratified 14 May 86                                                        | 8 Feb 1987                 |
|                                              |                          | continued 28 Apr 92                                                       |                            |

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.

**Status:** 45 signatories  
57 parties

## PART II

### Reservations/Declarations made upon or following 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)

**Belarus**

[9 September 1993]<sup>1/</sup>

"... 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)

**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)

**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]<sup>1/</sup>(\*)

"(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] <sup>1/</sup>

"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)

**Indonesia**

[5 November 1986] <sup>1/</sup>

"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]<sup>1/</sup>(\*)

Confirms the reservations and declaration made upon signature.  
(Original in English)

**Korea, Republic of**

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

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

**Netherlands**

[6 September 1991]<sup>1/</sup>(\*)

"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,

(Part II continued)

**(Netherlands cont.)**

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)

**Peru**

[11 January 1995]<sup>1/</sup>

"In accordance with the provisions of Article 17.3 of the Convention, Peru does not consider itself bound by any of the dispute settlement procedures provided for in the convention."

A Note explaining the reservation reads as follows:

"The reservation made by Peru in the instrument of accession ... refers only to the dispute settlement procedures provided for in paragraph 2 of Article 17, in accordance with paragraph 3 of the same article."

(Original in Spanish; translation by the Secretariat)

**Poland**

[5 October 1983]<sup>1/</sup>

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

**Russian Federation**

[25 May 1983]<sup>1/</sup>

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

**Spain**

[6 September 1991]<sup>1/</sup>(\* )

"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]<sup>1/</sup>

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

**United Kingdom**

[11 December 1991]<sup>1/</sup>

"...the Convention was extended to cover the Bailiwicks of Jersey and Guernsey and the Isle of Man with effect from 6 October 1991. The United Kingdom's Instrument of Ratification should accordingly be construed to extend to them."

(Original in English)

## PART III

### Reservations/declarations made upon signature

**Argentina** [28 February 1986] <sup>1/</sup>

"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] <sup>1/</sup>

"...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)

**European Atomic Energy Community** [13 June 1980] <sup>1/</sup>

"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] <sup>1/</sup>(\* )

"Recalling its statement contained in document CPNM/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."

"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)

(Part III continued)

**Hungary**

[17 June 1980] <sup>1/</sup>

"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] <sup>1/</sup>

"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] <sup>1/</sup>(\* )

"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] <sup>1/</sup>

"... 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)

**Mongolia**

[23 January 1986] <sup>1/</sup>

"...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] <sup>1/</sup>

"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)



(Part III continued)

**Romania**

[15 January 1981] <sup>1/</sup>

"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)

**Russian Federation**

[22 May 1980] <sup>1/</sup>

"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)

**South Africa**

[18 May 1981] <sup>1/</sup>

"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] <sup>1/</sup>(\* )

"...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)

**Turkey**

[23 August 1983] <sup>1/</sup>

"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)