

Strasbourg, 06/03/07

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**COMMITTEE OF LEGAL ADVISERS ON PUBLIC INTERNATIONAL LAW  
(CAHDI)**

**33<sup>rd</sup> meeting  
Strasbourg, 22-23 March 2007**

**STATE OF SIGNATURES AND RATIFICATIONS OF THE UN CONVENTION ON  
JURISDICTIONAL IMMUNITIES OF STATES AND THEIR PROPERTY AND THE  
EUROPEAN CONVENTION ON STATE IMMUNITY**

Secretariat Memorandum  
prepared by the Directorate General of Legal Affairs

**United Nations Convention on Jurisdictional Immunities of States  
and Their Property\***

***New York, 2 December 2004***

**Not yet in force:**

in accordance with article 30 which reads as follows: "1. The present Convention shall enter into force on the thirtieth day following the date of deposit of the thirtieth instrument of ratification, acceptance, approval or accession with the Secretary-General of the United Nations. 2. For each State ratifying, accepting, approving or acceding to the present Convention after the deposit of the thirtieth instrument of ratification, acceptance, approval or accession, the Convention shall enter into force on the thirtieth day after the deposit by such State of its instrument of ratification, acceptance, approval or accession."

**Status:**

Signatories: 28 ,Parties: 4.

**Text:**

Doc. A/59/508; depositary notification C.N.141.2005.TREATIES-4 of 28 February 2005 [Proposal of corrections to the original text of the Convention (Chinese version)] and C.N.419.2005.TREATIES-6 of 31 May 2005 [Corrections to the original text of the Convention (Chinese version)].

**Note:** The above Convention was adopted during the 65th plenary meeting of the General Assembly by resolution A/59/38 of 2 December 2004. In accordance with its articles 28 and 33, the Convention shall be open for signature by all States from 17 January 2005 until 17 January 2007, at United Nations Headquarters in New York.

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\* The information contained therein can be consulted at the UN Treaty Collection Site : <http://untreaty.un.org>

<b>Participant</b>	<b>Signature</b>	<b>Ratification, Acceptance (A), Approval (AA), Accession (a)</b>
Austria	17 Jan 2005	14 Sep 2006
Belgium	22 Apr 2005	
China	14 Sep 2005	
Czech Republic	13 Oct 2006	
Denmark	19 Sep 2006	
Estonia	30 Mar 2006	
Finland	14 Sep 2005	
France	17 Jan 2007	
Iceland	16 Sep 2005	
India	12 Jan 2007	
Iran (Islamic Republic of)	17 Jan 2007	
Japan	11 Jan 2007	
Lebanon	11 Nov 2005	
Madagascar	15 Sep 2005	
Mexico	25 Sep 2006	
Morocco	17 Jan 2005	
Norway	8 Jul 2005	27 Mar 2006 <sup>†</sup>
Paraguay	16 Sep 2005	
Portugal	25 Feb 2005	14 Sep 2006
Romania	14 Sep 2005	15 Feb 2007
Russian Federation	1 Dec 2006	
Senegal	21 Sep 2005	
Sierra Leone	21 Sep 2006	
Slovakia	15 Sep 2005	
Sweden	14 Sep 2005	
Switzerland	19 Sep 2006	
Timor-Leste	16 Sep 2005	
United Kingdom of Great Britain and Northern Ireland	30 Sep 2005	

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<sup>†</sup> Declaration:

"Recalling inter alia resolution 59/38 adopted by the General Assembly of the United Nations on 2 December 2004, in which the General Assembly took into account, when adopting the Convention, the statement of 25 October 2004 of the Chairman of the Ad Hoc Committee on Jurisdictional Immunities of States and Their Property introducing the Committee's report, Norway hereby states its understanding that the Convention does not apply to military activities, including the activities of armed forces during an armed conflict, as those terms are understood under international humanitarian law, and activities undertaken by military forces of a State in the exercise of their official duties. Such activities remain subject to other rules of international law. Similarly, as also noted in the said statement, the Convention does not apply where there is a special immunity regime, including immunities *ratione personae*. Thus, the express mention of heads of State in Article 3 should not be read as suggesting that the immunity *ratione personae* of other State officials is affected by the Convention. Furthermore, in cases where it has been established that property of a State is specifically in use or intended for use by the State for other than government non-commercial purposes and is in the territory of the State of the forum, it is the understanding of Norway that Article 18 does not prevent pre-judgment measures of constraint from being taken against property that has a connection with the entity against which the proceeding was directed.

Finally, Norway understands that the Convention is without prejudice to any future international development in the protection of human rights."

# European Convention on State Immunity

CETS No.: 074

Treaty open for signature by the member States and for accession by non-member States

## Opening for signature

Place: Basel  
Date : 16/5/1972

## Entry into force

Conditions: 3 Ratifications.  
Date : 11/6/1976

Status as of: 6/3/2007

Member States of the Council of Europe

States	Signature	Ratification	Entry into force	Notes	R.	D.	A.	T.	C.	O.
Albania										
Andorra										
Armenia										
Austria	16/5/1972	10/7/1974	11/6/1976			X	X			
Azerbaijan										
Belgium	16/5/1972	27/10/1975	11/6/1976			X	X			
Bosnia and Herzegovina										
Bulgaria										
Croatia										
Cyprus	15/12/1975	10/3/1976	11/6/1976							
Czech Republic										
Denmark										
Estonia										
Finland										
France										
Georgia										
Germany	16/5/1972	15/5/1990	16/8/1990			X	X	X		
Greece										
Hungary										
Iceland										
Ireland										
Italy										
Latvia										
Liechtenstein										
Lithuania										
Luxembourg	16/5/1972	11/12/1986	12/3/1987			X	X			
Malta										
Moldova										
Monaco										
Netherlands	16/5/1972	21/2/1985	22/5/1985			X	X	X		
Norway										
Poland										
Portugal	10/5/1979									
Romania										
Russia										
San Marino										
Serbia										
Slovakia										
Slovenia										
Spain										
Sweden										
Switzerland	16/5/1972	6/7/1982	7/10/1982			X				
the former Yugoslav Republic of Macedonia										
Turkey										
Ukraine										
United Kingdom	16/5/1972	3/7/1979	4/10/1979			X	X	X	X	

Non-member States of the Council of Europe

States	Signature	Ratification	Entry into force	Notes	R.	D.	A.	T.	C.	O.
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Total number of signatures not followed by ratifications:	1
Total number of ratifications/accessions:	8