No. 1021

AUSTRALIA, BULGARIA, CAMBODIA, CEYLON, CZECHOSLOVAKIA, etc.

Convention on the Prevention and Punishment of the Crime of Genocide. Adopted by the General Assembly of the United Nations on 9 December 1948

Official texts: Chinese, English, French, Russian and Spanish.
Registered ex officio *on 12 January 1951.*

AUSTRALIE, BULGARIE, CAMBODGE, CEYLAN, TCHÉCOSLOVAQUIE, etc.

Convention pour la prévention et la répression du crime de génocide. Adoptée par l'Assemblée générale des Nations Unies le 9 décembre 1948

Textes officiels anglais, chinois, espagnol, français et russe.
Enregistrée d'office le 12 janvier 1951.

No. 1021. CONVENTION[1] ON THE PREVENTION AND PUNISHMENT OF THE CRIME OF GENOCIDE. ADOPTED BY THE GENERAL ASSEMBLY OF THE UNITED NATIONS ON 9 DECEMBER 1948

THE CONTRACTING PARTIES,

HAVING CONSIDERED the declaration made by the General Assembly of the United Nations in its resolution 96 (I) dated 11 December 1946[2] that genocide is a crime under international law, contrary to the spirit and aims of the United Nations and condemned by the civilized world;

RECOGNIZING that at all periods of history genocide has inflicted great losses on humanity; and

BEING CONVINCED that, in order to liberate mankind from such an odious scourge, international co-operation is required,

HEREBY AGREE AS HEREINAFTER PROVIDED:

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[1] Came into force on 12 January 1951, the ninetieth day following the date of deposit of the twentieth instrument of ratification or accession, in accordance with article XIII.

The following States deposited with the Secretary-General of the United Nations their instruments of ratification or accession on the dates indicated:

Ratifications

AUSTRALIA	8 July 1949
By a notification received on 8 July 1949 the Government of Australia extended the application of the Convention to all territories for the conduct of whose foreign relations Australia is responsible.	
*Czechoslovakia	21 December 1950
ECUADOR	21 December 1949
EL SALVADOR	28 September 1950
ETHIOPIA	1 July 1949
FRANCE	14 October 1950
GUATEMALA	13 January 1950
HAITI	14 October 1950
ICELAND	29 August 1949
ISRAEL	9 March 1950
LIBERIA	9 June 1950
NORWAY	22 July 1949
PANAMA	11 January 1950
*PHILIPPINES	7 July 1950
YUGOSLAVIA	29 August 1950

Accessions

*BULGARIA	21 July 1950
CAMBODIA	14 October 1950
CEYLON	12 October 1950
COSTA RICA	14 October 1950
JORDAN	3 April 1950
KOREA	14 October 1950
LAOS	8 December 1950
MONACO	30 March 1950
*POLAND	14 November 1950
*ROMANIA	2 November 1950
SAUDI ARABIA	13 July 1950
TURKEY	31 July 1950
VIET-NAM	11 August 1950

* With reservations. For text of reservations, see pp. 314-322 of this volume.

[2] United Nations, document A/64/Add. 1. 31 January 1947.

Article I

The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish.

Article II

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

(*a*) Killing members of the group;

(*b*) Causing serious bodily or mental harm to members of the group;

(*c*) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;

(*d*) Imposing measures intended to prevent births within the group;

(*e*) Forcibly transferring children of the group to another group.

Article III

The following acts shall be punishable:

(*a*) Genocide;

(*b*) Conspiracy to commit genocide;

(*c*) Direct and public incitement to commit genocide;

(*d*) Attempt to commit genocide;

(*e*) Complicity in genocide.

Article IV

Persons committing genocide or any of the other acts enumerated in article III shall be punished, whether they are constitutionally responsible rulers, public officials or private individuals.

Article V

The Contracting Parties undertake to enact, in accordance with their respective Constitutions, the necessary legislation to give effect to the provisions of the present Convention and, in particular, to provide effective penalties for persons guilty of genocide or of any of the other acts enumerated in article III.

Article VI

Persons charged with genocide or any of the other acts enumerated in article III shall be tried by a competent tribunal of the State in the territory

of which the act was committed, or by such international penal tribunal as may have jurisdiction with respect to those Contracting Parties which shall have accepted its jurisdiction.

Article VII

Genocide and the other acts enumerated in article III shall not be considered as political crimes for the purpose of extradition.

The Contracting Parties pledge themselves in such cases to grant extradition in accordance with their laws and treaties in force.

Article VIII

Any Contracting Party may call upon the competent organs of the United Nations to take such action under the Charter of the United Nations as they consider appropriate for the prevention and suppression of acts of genocide or any of the other acts enumerated in article III.

Article IX

Disputes between the Contracting Parties relating to the interpretation, application or fulfilment of the present Convention, including those relating to the responsibility of a State for genocide or for any of the other acts enumerated in article III, shall be submitted to the International Court of Justice at the request of any of the parties to the dispute.

Article X

The present Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall bear the date of 9 December 1948.

Article XI

The present Convention shall be open until 31 December 1949 for signature on behalf of any Member of the United Nations and of any non-member State to which an invitation[1] to sign has been addressed by the General Assembly.

[1] In accordance with resolution 368 (IV) (United Nations, document A/1251, 28 December 1949), adopted by the General Assembly at its 266th meeting on 3 December 1949, the Secretary-General was requested to despatch invitations to sign and ratify or to accede to the Convention..."to each non-member State which is or hereafter becomes an active member of one or more of the specialized agencies of the United Nations, or which is or hereafter becomes a party to the Statute of the International Court of Justice".

Accordingly, invitations were addressed to the following States on the dates indicated below:

6 December 1949
Albania
Austria
Bulgaria
Ceylon
Finland
Hungary
Ireland
Italy
Korea
Monaco
Portugal
Romania
Switzerland
Hashimite Kingdom of the Jordan

27 March 1950
Indonesia

10 April 1950
Liechtenstein

31 May 1950
Cambodia
Laos
Viet-Nam

20 December 1950
Germany

28 May 1951
Japan

The present Convention shall be ratified, and the instruments of ratification shall be deposited with the Secretary-General of the United Nations.

After 1 January 1950 the present Convention may be acceded to on behalf of any Member of the United Nations and of any non-member State which has received an invitation[1] as aforesaid.

Instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article XII

Any Contracting Party may at any time, by notification addressed to the Secretary-General of the United Nations, extend the application of the present Convention to all or any of the territories for the conduct of whose foreign relations that Contracting Party is responsible.

Article XIII

On the day when the first twenty instruments of ratification or accession have been deposited, the Secretary-General shall draw up a *procès-verbal*[2] and transmit a copy thereof to each Member of the United Nations and to each of the non-member States contemplated in article XI.

The present Convention shall come into force on the ninetieth day following the date of deposit of the twentieth instrument of ratification or accession.

Any ratification or accession effected subsequent to the latter date shall become effective on the ninetieth day following the deposit of the instrument of ratification or accession.

Article XIV

The present Convention shall remain in effect for a period of ten years as from the date of its coming into force.

It shall thereafter remain in force for successive periods of five years for such Contracting Parties as have not denounced it at least six months before the expiration of the current period.

Denunciation shall be effected by a written notification addressed to the Secretary-General of the United Nations.

Article XV

If, as a result of denunciations, the number of Parties to the present Convention should become less than sixteen, the Convention shall cease to be in force as from the date on which the last of these denunciations shall become effective.

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[1] See note page 282.
[2] See p. 312 of this volume.

Article XVI

A request for the revision of the present Convention may be made at any time by any Contracting Party by means of a notification in writing addressed to the Secretary-General.

The General Assembly shall decide upon the steps, if any, to be taken in respect of such request.

Article XVII

The Secretary-General of the United Nations shall notify all Members of the United Nations and the non-member States contemplated in article XI of the following:

(*a*) Signatures, ratifications and accessions received in accordance with article XI;

(*b*) Notifications received in accordance with article XII;

(*c*) The date upon which the present Convention comes into force in accordance with article XIII;

(*d*) Denunciations received in accordance with article XIV;

(*e*) The abrogation of the Convention in accordance with article XV;

(*f*) Notifications received in accordance with article XVI.

Article XVIII

The original of the present Convention shall be deposited in the archives of the United Nations.

A certified copy of the Convention shall be transmitted to each Member of the United Nations and to each of the non-member States contemplated in article XI.

Article XIX

The present Convention shall be registered by the Secretary-General of the United Nations on the date of its coming into force.

FOR AUSTRALIA:
POUR L'AUSTRALIE:
澳大利亞：
За Австралию:
POR AUSTRALIA:

Herbert Vere EVATT
December 11, 1948

FOR THE KINGDOM OF BELGIUM:
POUR LE ROYAUME DE BELGIQUE:
比利時王國：
За Королевство Бельгии:
POR EL REINO DE BÉLGICA:

F. VAN LANGENHOVE
le 12 décembre 1949

FOR BOLIVIA:
POUR LA BOLIVIE:
玻利維亞：
За Боливию:
POR BOLIVIA:

A. COSTA DU R.
11 Dbre. 1948

FOR BRAZIL:
POUR LE BRÉSIL:
巴西：
За Бразилию:
POR EL BRASIL:

João Carlos MUNIZ
11 Décembre 1948

FOR THE UNION OF BURMA:
POUR L'UNION BIRMANE:
緬甸聯邦:
За Бирманский Союз:
POR LA UNIÓN BIRMANA:

U So NYUN
Dec. 30th 1949

FOR THE BYELORUSSIAN SOVIET SOCIALIST REPUBLIC:
POUR LA RÉPUBLIQUE SOCIALISTE SOVIÉTIQUE DE BIÉLORUSSIE:
白俄羅斯蘇維埃社會主義共和國：
За Белорусскую Советскую Социалистическую Республику:
POR LA REPÚBLICA SOCIALISTA SOVIÉTICA DE BIELORRUSIA:

С оговорками по статьям IX и XII, изложенными в специальном протоколе, составленном при подписании настоящей конвенции.

К. Киселев
16/XII - 49 г.[1]

FOR CANADA:
POUR LE CANADA:
加拿大：
За Канаду:
POR EL CANADÁ:

Lester B. PEARSON
Nov. 28/1949

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[1] With the reservations regarding Articles IX and XII stated in the special *Procès-verbal* drawn up on signature of the present Convention.

K. KISELEV
16/XII/49

These reservations are worded as follows:

"At the time of signing the present Convention the delegation of the Byelorussian Soviet Socialist Republic deems it essential to state the following:

"*As regards Article IX:* The Byelorussian SSR does not consider as binding upon itself the provisions of Article IX which provides that disputes between the Contracting Parties with regard to the interpretation, application and implementation of the present Convention shall be referred for examination to the International Court at the request of any party to the dispute, and declares that, as regards the International Court's jurisdiction in respect of disputes concerning the interpretation, application and implementation of the Convention, the Byelorussian SSR will, as hitherto, maintain the position that in each particular case the agreement of all parties to the dispute is essential for the submission of any particular dispute to the International Court for decision.

"*As regards Article XII:* The Byelorussian SSR declares that it is not in agreement with Article XII of the Convention and considers that all the provisions of the Convention should extend to non-self-governing territories, including trust territories."

[1] Sous les réserves relatives aux articles IX et XII formulées dans le procès-verbal spécial établi lors de la signature de la présente Convention.

K. KISSELYOV
16/XII/49

Ces réserves sont conçues comme suit:

TRADUCTION - TRANSLATION

«Au moment de signer la présente Convention, la délégation de la République socialiste soviétique de Biélorussie tient expressément à déclarer ce qui suit:

«*En ce qui concerne l'article IX:* La RSS de Biélorussie ne s'estime pas tenue par les dispositions de l'article IX qui stipule que les différends entre les Parties contractantes relatifs à l'interprétation, l'application ou l'exécution de la présente Convention seront soumis à l'examen de la Cour internationale de Justice à la requête d'une partie au différend, et déclare qu'en ce qui concerne la compétence de la Cour en matière de *différends relatifs à l'interprétation*, l'*application* et l'exécution de la Convention, la RSS de Biélorussie continuera à soutenir, comme elle l'a fait jusqu'à ce jour, que, dans chaque cas particulier, l'accord de toutes les parties au différend est nécessaire pour que la Cour internationale puisse être saisie de ce différend aux fins de décision.

«*En ce qui concerne l'article XII:* La RSS de Biélorussie déclare qu'elle n'accepte pas les termes de l'article XII de la Convention et estime que toutes les clauses de ladite Convention devraient s'appliquer aux territoires non autonomes, y compris les territoires sous tutelle.»

FOR CHILE:
POUR LE CHILI:
智利：
За Чили:
POR CHILE:

Con la reserva que requiere también la aprobación del Congreso de mi país.[1]
H. ARANCIBIA LASO

FOR CHINA:
POUR LA CHINE:
中國：
За Китай:
POR LA CHINA:

Tingfu F. TSIANG
July 20, 1949

FOR COLOMBIA:
POUR LA COLOMBIE:
哥倫比亞：
За Колумбию:
POR COLOMBIA:

Eduardo ZULETA ANGEL
Aug. 12, 1949

FOR CUBA:
POUR CUBA:
古巴：
За Кубу:
POR CUBA:

Carlos BLANCO
December 28, 1949

[1] Subject to the reservation that it also requires the approval of the Congress of my country.
H. ARANCIBIA LASO

[1] Avec la réserve que l'approbation du Congrès de mon pays est également requise.
H. ARANCIBIA LASO

FOR CZECHOSLOVAKIA:
POUR LA TCHÉCOSLOVAQUIE:
捷克斯拉夫：
За Чехословакию:
POR CHECOESLOVAQUIA:

With the reservations* to Articles IX and XII as contained in the *Procès-Verbal* of Signature dated to-day.[1]

V. OUTRATA
December 28th, 1949

FOR DENMARK:
POUR LE DANEMARK:
丹麥：
За Данию:
POR DINAMARCA:

William BORBERG
le 28 septembre 1949

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[1] Sous les réserves* relatives aux articles IX et XII formulées dans le procès-verbal de signature en date de ce jour.

V. OUTRATA
le 28 décembre 1949

* These reservations are worded as follows:

"At the time of signing the present Convention the delegation of Czechoslovakia deems it essential to state the following:

"*As regards Article IX:* Czechoslovakia does not consider as binding upon itself the provisions of Article IX which provides that disputes between the Contracting Parties with regard to the interpretation, application and implementation of the present Convention shall be referred for examination to the International Court at the request of any party to the dispute, and declares that, as regards the International Court's jurisdiction in respect of disputes concerning the interpretation, application and implementation of the Convention, Czechoslovakia will, as hitherto, maintain the position that in each particular case the agreement of all parties to the dispute is essential for the submission of any particular dispute to the International Court for decision.

"*As regards Article XII:* Czechoslovakia declares that it is not in agreement with Article XII of the Convention and considers that all the provisions of the Convention should extend to non-self-governing territories, including trust territories."

* Ces réserves sont conçues comme suit:

TRADUCTION - TRANSLATION

«Au moment de signer la présente Convention, la délégation de Tchécoslovaquie tient expressément à déclarer ce qui suit:

«*En ce qui concerne l'article IX:* La Tchécoslovaquie ne s'estime pas tenue par les dispositions de l'article IX qui stipule que les différends entre les Parties contractantes relatifs à l'interprétation, l'application ou l'exécution de la présente Convention seront soumis à l'examen de la Cour internationale de Justice à la requête d'une partie au différend, et déclare qu'en ce qui concerne la compétence de la Cour en matière de différends relatifs à l'interprétation, l'application, et l'exécution de la Convention, la Tchécoslovaquie continuera à soutenir, comme elle l'a fait jusqu'à ce jour, que, dans chaque cas particulier, l'accord de toutes les parties au différend est nécessaire pour que la Cour internationale de Justice puisse être saisie de ce différend aux fins de décision.

«*En ce qui concerne l'article XII:* La Tchécoslovaquie déclare qu'elle n'accepte pas les termes de l'article XII de la Convention et estime que toutes les clauses de la Convention devraient s'appliquer aux territoires non autonomes, y compris les territoires sous tutelle.»

FOR THE DOMINICAN REPUBLIC:
POUR LA RÉPUBLIQUE DOMINICAINE:
多明尼加共和國：
За Доминиканскую Республику:
POR LA REPÚBLICA DOMINICANA:

Joaquín BALAGUER
11 dic. 1948.

FOR ECUADOR:
POUR L'EQUATEUR:
厄瓜多：
За Эквадор:
POR EL ECUADOR:

Homero VITERI LAFRONTE
11 Diciembre de 1948

FOR EGYPT:
POUR L'EGYPTE:
埃及：
За Египет:
POR EGIPTO:

Ahmed Moh. KACHABA
12-12-48

FOR EL SALVADOR:
POUR LE SALVADOR:
薩爾瓦多：
За Сальвадор:
POR EL SALVADOR:

M. Rafael URQUIA
Abril 27 de 1949

FOR ETHIOPIA:
POUR L'ETHIOPIE:
阿比西尼亞：
За Эфиопию:
POR ETIOPÍA:

AKLILOU
11 décembre 1948

FOR FRANCE:
POUR LA FRANCE:
法蘭西：
За Францию:
POR FRANCIA:

Robert SCHUMAN
11 déc. 1948.

FOR GREECE:
POUR LA GRÈCE:
希臘：
За Грецию:
POR GRECIA:

Alexis KYROU
29 décembre 1949

FOR GUATEMALA:
POUR LE GUATEMALA:
瓜地馬拉：
За Гватемалу:
POR GUATEMALA:

Carlos GARCÍA BAUER
June 22, 1949

FOR HAITI:
POUR HAÏTI:
海地：
За Гаити:
POR HAITÍ:

DEMESMIN, av.:
Le 11 Décembre 1948

FOR HONDURAS:
POUR LE HONDURAS:
洪都拉斯：
За Гондурас:
POR HONDURAS:

Tiburcio CARIAS JR.
Abril 22, 1949

FOR ICELAND:
POUR L'ISLANDE:
冰岛：
За Исландию:
POR ISLANDIA:

Thor THORS
May 14, 1949

FOR INDIA:
POUR L'INDE:
印度：
За Индию:
POR LA INDIA:

B. N. RAU
November 29, 1949

FOR IRAN:
POUR L'IRAN:
伊朗：
За Иран:
POR IRÁN:

Nasrollah ENTEZAM
December 8th, 1949

FOR LEBANON:
POUR LE LIBAN:
黎巴嫩：
За Ливан:
POR EL LÍBANO:

Charles MALIK
December 30, 1949

FOR LIBERIA:
POUR LE LIBÉRIA:
利比里亞：
За Либерию:
POR LIBERIA:

Henry COOPER
11/12/48

FOR MEXICO:
POUR LE MEXIQUE:
墨西哥：
За МЕКСИКУ:
POR MÉXICO:

L. PADILLA NERVO
Dec. 14 – 1948.

FOR NEW ZEALAND:
POUR LA NOUVELLE-ZÉLANDE:
紐西蘭：
За НОВУЮ ЗЕЛАНДИЮ:
POR NUEVA ZELANDIA:

C. BERENDSEN
November 25th, 1949

FOR THE KINGDOM OF NORWAY:
POUR LE ROYAUME DE NORVÈGE:
那威王國：
За Королевство Норвегии:
POR EL REINO DE NORUEGA:

Finn MOE
Le 11 Décembre 1948.

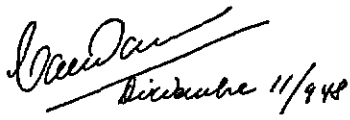
FOR PAKISTAN:
POUR LE PAKISTAN:
巴基斯坦:
За ПАКИСТАН:
POR EL PAKISTÁN:

ZAFRULLA KHAN
Dec. 11. '48.

FOR PANAMA:
POUR LE PANAMA:
巴拿馬：
За ПАНАМУ:
POR PANAMÁ:

R. J. ALFARO
11 décembre 1948.

FOR PARAGUAY:
POUR LE PARAGUAY:
巴拉圭：
За Парагвай:
POR EL PARAGUAY:



FOR PERU:
POUR LE PÉROU:
秘魯：
За Перу:
POR EL PERÚ:

F. BERCKEMEYER
Diciembre 11/1948

FOR THE PHILIPPINE REPUBLIC:
POUR LA RÉPUBLIQUE DES PHILIPPINES:
菲律賓共和國：
За Филиппинскую Республику:
POR LA REPÚBLICA DE FILIPINAS:

Carlos P. RÓMULO
December 11, 1948

FOR SWEDEN:
POUR LA SUÈDE:
瑞典：
За Швецию:
POR SUECIA:

Sven GRAFSTRÖM
December 30, 1949

FOR THE UKRAINIAN SOVIET SOCIALIST REPUBLIC:
POUR LA RÉPUBLIQUE SOCIALISTE SOVIÉTIQUE D'UKRAINE:
烏克蘭蘇維埃社會主義共和國：
За Украинскую Советскую Социалистическую Республику:
POR LA REPÚBLICA SOCIALISTA SOVIÉTICA DE UCRANIA:

С оговорками по статьям IX и XII, изложенными в специальном протоколе, составленном при подписании настоящей конвенции.

Зам. Министра иностранных дел
УССР
А. Война
16/XII - 1949 г.[1]

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[1] With the reservations regarding Articles IX and XII stated in the special *Procès-verbal* drawn up on signature of the present Convention.

A. VOINA

Deputy Minister of Foreign Affairs of the Ukrainian Soviet Socialist Republic.

16/XII/1949

These reservations are worded as follows:

"At the time of signing the present Convention the delegation of the Ukrainian Soviet Socialist Republic deems it essential to state the following:

"*As regards Article IX:* The Ukrainian SSR does not consider as binding upon itself the provisions of Article IX which provides that disputes between the Contracting Parties with regard to the interpretation, application and implementation of the present Convention shall be referred for examination to the International Court at the request of any party to the dispute, and declares that, as regards the International Court's jurisdiction in respect of disputes concerning the interpretation, application and implementation of the Convention, the Ukrainian SSR will, as hitherto, maintain the position that in each particular case the agreement of all parties to the dispute is essential for the submission of any particular dispute to the International Court for decision.

"*As regards Article XII:* The Ukrainian SSR declares that it is not in agreement with Article XII of the Convention and considers that all the provisions of the Convention should extend to non-self-governing territories, including trust territories."

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[1] Sous les réserves relatives aux articles IX et XII formulées dans le procès-verbal spécial établi lors de la signature de la présente Convention.

A. VOINA

Ministre des affaires étrangères de la République socialiste soviétique d'Ukraine par intérim.

16/XII/1949

Ces réserves sont conçues comme suit:

TRADUCTION - TRANSLATION

«Au moment de signer la présente Convention, la délégation de la République socialiste soviétique d'Ukraine tient expressément à déclarer ce qui suit:

«*En ce qui concerne l'article IX:* La République socialiste soviétique d'Ukraine ne se considère pas comme liée par les dispositions de l'article IX qui stipule que les différends entre les Parties contractantes relatifs à l'interprétation, l'application ou l'exécution de la présente Convention seront soumis à l'examen de la Cour internationale de Justice à la requête d'une partie au différend, et déclare qu'en ce qui concerne la compétence de la Cour en matière de différends relatifs à l'interprétation, l'application, et l'exécution de la Convention, la RSS d'Ukraine continuera à soutenir, comme elle l'a fait jusqu'à ce jour, la thèse selon laquelle dans chaque cas particulier, l'accord de toutes les parties au différend est nécessaire pour que la Cour internationale puisse être saisie de ce différend aux fins de décision.

«*En ce qui concerne l'article XII:* La RSS d'Ukraine déclare qu'elle ne donne pas son accord à l'article XII de la Convention et estime que toutes les dispositions de la Convention devraient s'appliquer aux territoires non autonomes, y compris les territoires sous tutelle.»

FOR THE UNION OF SOVIET SOCIALIST REPUBLICS:
POUR L'UNION DES RÉPUBLIQUES SOCIALISTES SOVIÉTIQUES:
蘇維埃社會主義共和國聯邦：
За Союз Советских Социалистических Республик:
POR LA UNIÓN DE REPÚBLICAS SOCIALISTAS SOVIÉTICAS:

С оговорками по статьям IX и XII, изложенными в специальном протоколе, составленном при подписании настоящей конвенции.

A. Панюшкин
16.12.49[1]

FOR THE UNITED STATES OF AMERICA:
POUR LES ETATS-UNIS D'AMÉRIQUE:
美利堅合衆國：
За Соединенные Штаты Америки:
POR LOS ESTADOS UNIDOS DE AMÉRICA:

Ernest A. Gross
Dec 11, 1948

[1] With the reservations regarding Articles IX and XII stated in the special *Procès-verbal* drawn up on signature of the present Convention.

A. PANYUSHKIN
16.12.49

These reservations are worded as follows:

"At the time of signing the present Convention the delegation of the Union of Soviet Socialist Republics deems it essential to state the following:

"*As regards Article IX:* The Soviet Union does not consider as binding upon itself the provisions of Article IX which provides that disputes between the Contracting Parties with regard to the interpretation, application and implementation of the present Convention shall be referred for examination to the International Court at the request of any party to the dispute, and declares that, as regards the International Court's jurisdiction in respect of disputes concerning the interpretation, application and implementation of the Convention, the Soviet Union will, as hitherto, maintain the position that in each particular case the agreement of all parties to the dispute is essential for the submission of any particular dispute to the International Court for decision.

"*As regards Article XII:* The Union of Soviet Socialist Republics declares that it is not in agreement with Article XII of the Convention and considers that all the provisions of the Convention should extend to non-self-governing territories, including trust territories."

[1] Sous les réserves relatives aux articles IX et XII formulées dans le procès-verbal spécial établi lors de la signature de la présente Convention.

A. PANYOUCHKINE
16.12.49

Ces réserves sont conçues comme suit:

TRADUCTION - TRANSLATION

«Au moment de signer la présente Convention, la délégation de l'Union des Républiques socialistes soviétiques tient expressément à déclarer ce qui suit:

«*En ce qui concerne l'article IX:* L'Union soviétique ne s'estime pas tenue par les dispositions de l'article IX qui stipule que les différends entre les Parties contractantes relatifs à l'interprétation, l'application ou l'exécution de la présente Convention seront soumis à l'examen de la Cour internationale de Justice à la requête d'une partie au différend, et déclare qu'en ce qui concerne la compétence de la Cour en matière de différends relatifs à l'interprétation, l'application et l'exécution de la Convention, l'Union soviétique continuera à soutenir, comme elle l'a fait jusqu'à ce jour, que, dans chaque cas particulier, l'accord de toutes les parties au différend est nécessaire pour que la Cour internationale de Justice puisse être saisie de ce différend aux fins de décision.

«*En ce qui concerne l'article XII:* L'Union des Républiques socialistes soviétiques déclare qu'elle n'accepte pas les termes de l'article XII de la Convention et estime que toutes les clauses de ladite Convention devraient s'appliquer aux territoires non autonomes, y compris les territoires sous tutelle.»

FOR URUGUAY:
POUR L'URUGUAY:
烏拉圭：
За Уругвай:
POR EL URUGUAY:

Enrique C. ARMAND UGON
Décembre 11 de 1948–

FOR YUGOSLAVIA:
POUR LA YOUGOSLAVIE:
南斯拉夫：
За Югославию:
POR YUGOESLAVIA:

Dr Ales BEBLER
11 Dec. 1948

FOR ISRAEL:
POUR ISRAËL:
以色列：
За Израиль:
POR ISRAEL:

Aubrey S. EBAN
17 August 1949

PROCÈS-VERBAL ESTABLISHING THE DEPOSIT OF TWENTY INSTRUMENTS OF RATIFICATION OR ACCESSION TO THE CONVENTION ON THE PREVENTION AND PUNISHMENT OF THE CRIME OF GENOCIDE

CONSIDERING that article XIII, paragraphs one and two, of the Convention on the Prevention and Punishment of the Crime of Genocide provides that:

"On the day when the first twenty instruments of ratification or accession have been deposited, the Secretary-General shall draw up a *procès-verbal* and transmit a copy of it to each Member of the United Nations and to each of the non-member States contemplated in article XI.

"The present Convention shall come into force on the ninetieth day following the date of deposit of the twentieth instrument of ratification or accession."

CONSIDERING that the condition specified in paragraph one has, on this day, been fulfilled;

PROCÈS-VERBAL CONSTATANT LE DÉPOT DE VINGT INSTRUMENTS DE RATIFICATION OU D'ADHÉSION A LA CONVENTION POUR LA PRÉVENTION ET LA RÉPRESSION DU CRIME DE GÉNOCIDE

CONSIDÉRANT que l'article XIII de la Convention pour la prévention et la répression du crime de génocide stipule, dans ses paragraphes un et deux, que:

«Dès le jour où les vingt premiers instruments de ratification ou d'adhésion auront été déposés, le Secrétaire général en dressera procès-verbal. Il transmettra copie de ce procès-verbal à tous les États Membres des Nations Unies et aux non-membres visés par l'article XI.

«La présente Convention entrera en vigueur le quatre-vingt-dixième jour qui suivra la date du dépôt du vingtième instrument de ratification ou d'adhésion.»

CONSIDÉRANT que la condition prévue au paragraphe premier a, ce jour, été réalisée;

THEREFORE, the Secretary-General has drawn up this *Procès-Verbal* in the English and French languages.

EN CONSÉQUENCE, le Secrétaire général a dressé le présent Procès-Verbal en langue anglaise et en langue française.

DONE at Lake Success, New York, this 14th day of October 1950.

FAIT à Lake Success, New York, le 14 octobre 1950.

For the Secretary-General:
Pour le Secrétaire général:

Dr. Ivan S. KERNO

Assistant Secretary-General
Legal Department
Secrétaire général adjoint
Département juridique

RATIFICATIONS WITH RESERVATIONS

PHILIPPINES

WHEREAS, The Convention on the Prevention and Punishment of the Crime of Genocide was approved by the General Assembly of the United Nations during its Third Session on December 9, 1948, and was signed by the authorized representative of the Philippines on December 11, 1948;

WHEREAS, Article XI of the Convention provides that the present Convention shall be ratified and the instruments of ratification deposited with the Secretary-General of the United Nations; and

WHEREAS, the Senate of the Philippines, by its Resolution No. 9, adopted on February 28, 1950, concurred in the ratification by the President of the Philippines of the aforesaid Convention in accordance with the Constitution of the Philippines, subject to the following reservations:

"1. With reference to Article IV of the Convention, the Philippine Government cannot sanction any situation which would subject its Head of State, who is not a ruler, to conditions less favorable than those accorded other Heads of State, whether constitutionally responsible rulers or not. The Philippine Government does not consider said Article, therefore, as overriding the existing immunities from judicial processes guaranteed certain public officials by the Constitution of the Philippines.

"2. With reference to Article VII of the Convention, the Philippine Government does not undertake to give effect to said Article until the Congress of the Philippines has enacted the necessary legislation defining and punishing the crime of genocide, which legislation, under the Constitution of the Philippines, cannot have any retroactive effect.

"3. With reference to Articles VI and IX of the Convention, the Philippine Government takes the position that nothing contained in said Articles shall be construed as depriving Philippine courts of jurisdiction over all cases of genocide committed within Philippine territory save only in those cases where the Philippine Government consents to have the decision of the Philippine courts reviewed by either of the international tribunals referred to in said Articles. With further reference to Article IX of the Convention, the Philippine Government does not consider said Article to extend the concept of State responsibility beyond that recognized by the generally accepted principles of international law."

NOW, THEREFORE, be it known that I, ELPIDIO QUIRINO, President of the Philippines, after having seen and considered the said Convention, do hereby, in pursuance of the aforesaid concurrence of the Senate and subject to the reservations above-quoted, ratify and confirm the same and every article and clause thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

DONE in the City of Manila, this 23rd day of June, in the year of Our Lord, nineteen hundred and fifty, and of the Independence of the Philippines, the fourth.

(*Signed*) QUIRINO

By the President:
(*Signed*) Felino NERI
Undersecretary of Foreign Affairs

CZECHOSLOVAKIA

TRANSLATION

WHEREAS we have examined this Convention, and the National Assembly of the Czechoslovak Republic has signified its agreement thereto,

NOW, THEREFORE,

We do hereby approve and ratify it, subject to the reservations stated in the Protocol of signature[1] of the Convention.

IN FAITH WHEREOF we have signed this instrument and affixed thereto the seal of the Czechoslovak Republic.

GIVEN at Prague Castle, 24 October 1950.

(*Signed*) GOTTWALD
President of the Czechoslovak Republic

(*Signed*) Zd. FIERLINGER
Minister for Foreign Affairs

[1] See page 303 of this volume.

ACCESSIONS WITH RESERVATIONS

BULGARIA

TRANSLATION

THE PRESIDIUM OF THE NATIONAL ASSEMBLY OF THE PEOPLE'S REPUBLIC OF BULGARIA,

HAVING SEEN AND EXAMINED the Convention of 9 December 1948 on the Prevention and Punishment of the crime of Genocide,

CONFIRMS its accession to this Convention with the following reservations:

1. *As regards article IX:* The People's Republic of Bulgaria does not consider as binding upon itself the provisions of article IX which provides that disputes between the Contracting Parties with regard to the interpretation, application and implementation of the present Convention shall be referred for examination to the International Court of Justice at the request of any party to the dispute, and declares that, as regards the International Court's jurisdiction in respect of disputes concerning the interpretation, application and implementation of the Convention, the People's Republic of Bulgaria will, as hitherto, maintain the position that in each particular case the agreement of all parties to the dispute is essential for the submission of any particular dispute to the International Court of Justice for decision.

2. *As regards article XII:* The People's Republic of Bulgaria declares that it is not in agreement with article XII of the Convention and considers that all the provisions of the Convention should extend to non-self-governing territories, including trust territories.

AND DECLARES its assurance of the application thereof.

IN FAITH WHEREOF has signed the present instrument and has had affixed the seal of the State thereto.

GIVEN at Sofia, on 12 July one thousand nine hundred and fifty.

The President:
(*Illegible*)

The Secretary:
(*Illegible*)

The Minister for Foreign Affairs:
(*Signed*) M. NEITCHEFF

No. 1021

POLAND

TRANSLATION

In the name of the Polish Republic, BOLESŁAW BIERUT, President of the Polish Republic,

To all men who may see these presents: be it known that

A Convention for the Prevention and Punishment of the Crime of Genocide was adopted by the General Assembly of the United Nations on 9 December 1948:

Having read and examined the said Convention, We accede to it in the name of the Polish Republic subject to the following reservations:

"As regards article IX, Poland does not regard itself as bound by the provisions of this article since the agreement of all the parties to a dispute is a necessary condition in each specific case for submission to the International Court of Justice,

"As regards article XII, Poland does not accept the provisions of this article, considering that the Convention should apply to Non-Self-Governing Territories, including Trust Territories."

We declare that the above-mentioned Convention is accepted, ratified and confirmed and promise that it shall be observed without violation.

IN FAITH WHEREOF, We have issued the present letters bearing the seal of the Republic.

GIVEN at Warsaw, 22 September 1950.

(*Signed*) Bolesław BIERUT

(*Signed*) J. CYRANKIEWICZ
President of the Council of Ministers

(*Signed*) St. SKRZESZEWSKI
for Minister for Foreign Affairs

ROMANIA

TRANSLATION

As regards article IX: The People's Republic of Romania does not consider itself bound by the provisions of article IX, which provides that disputes between the Contracting Parties relating to the interpretation, application or fulfilment of the Convention shall be submitted to the International Court of Justice at the request of any of the parties to the dispute, and declares that as regards the jurisdiction of the Court in disputes relating to the interpretation, application or fulfilment of the Convention, the People's Republic of Romania will adhere to the view which it has held up to the present, that in each particular case the agreement of all the parties to a dispute is required before it can be referred to the International Court of Justice for settlement.

As regards article XII: The People's Republic of Romania declares that it is not in agreement with article XII of the Convention, and considers that all the provisions of the Convention should apply to the Non-Self-Governing Territories, including the Trust Territories.