

2. VIENNA CONVENTION FOR THE PROTECTION OF THE OZONE LAYER

Vienna, 22 March 1985

ENTRY INTO FORCE 22 September 1988, in accordance with article 17(1).
REGISTRATION: 22 September 1988, No. 26164.
STATUS: Signatories: 28. Parties: 197.¹
TEXT: United Nations, *Treaty Series*, vol. 1513, p. 293.

Note: The Convention was adopted by the Conference on the Protection of the Ozone Layer and open for signature at Vienna from 22 March 1985 to 21 September 1985, and at the United Nations Headquarters in New York from 22 September 1985 until 21 March 1986.

<i>Participant</i>	<i>Signature</i>	<i>Approval(AA), Acceptance(A), Accession(a), Succession(d), Ratification</i>	<i>Participant</i>	<i>Signature</i>	<i>Approval(AA), Acceptance(A), Accession(a), Succession(d), Ratification</i>
Afghanistan.....		17 Jun 2004 a	Cameroon.....		30 Aug 1989 a
Albania.....		8 Oct 1999 a	Canada22 Mar 1985		4 Jun 1986
Algeria		20 Oct 1992 a	Central African Republic		29 Mar 1993 a
Andorra.....		26 Jan 2009 a	Chad.....		18 May 1989 a
Angola		17 May 2000 a	Chile.....22 Mar 1985		6 Mar 1990
Antigua and Barbuda		3 Dec 1992 a	China ^{3,4}		11 Sep 1989 a
Argentina22 Mar 1985		18 Jan 1990	Colombia		16 Jul 1990 a
Armenia		1 Oct 1999 a	Comoros.....		31 Oct 1994 a
Australia.....		16 Sep 1987 a	Congo.....		16 Nov 1994 a
Austria16 Sep 1985		19 Aug 1987	Cook Islands		22 Dec 2003 a
Azerbaijan.....		12 Jun 1996 a	Costa Rica.....		30 Jul 1991 a
Bahamas.....		1 Apr 1993 a	Côte d'Ivoire		5 Apr 1993 a
Bahrain.....		27 Apr 1990 a	Croatia ²		21 Sep 1992 d
Bangladesh.....		2 Aug 1990 a	Cuba.....		14 Jul 1992 a
Barbados		16 Oct 1992 a	Cyprus.....		28 May 1992 a
Belarus22 Mar 1985		20 Jun 1986 A	Czech Republic ⁵		30 Sep 1993 d
Belgium22 Mar 1985		17 Oct 1988	Democratic People's Republic of Korea		24 Jan 1995 a
Belize.....		6 Jun 1997 a	Democratic Republic of the Congo		30 Nov 1994 a
Benin.....		1 Jul 1993 a	Denmark22 Mar 1985		29 Sep 1988
Bhutan.....		23 Aug 2004 a	Djibouti.....		30 Jul 1999 a
Bolivia (Plurinational State of).....		3 Oct 1994 a	Dominica		31 Mar 1993 a
Bosnia and Herzegovina ²		1 Sep 1993 d	Dominican Republic		18 May 1993 a
Botswana		4 Dec 1991 a	Ecuador.....		10 Apr 1990 a
Brazil		19 Mar 1990 a	Egypt.....22 Mar 1985		9 May 1988
Brunei Darussalam		26 Jul 1990 a	El Salvador		2 Oct 1992 a
Bulgaria		20 Nov 1990 a	Equatorial Guinea		17 Aug 1988 a
Burkina Faso.....12 Dec 1985		30 Mar 1989	Eritrea		10 Mar 2005 a
Burundi		6 Jan 1997 a	Estonia		17 Oct 1996 a
Cabo Verde.....		31 Jul 2001 a	Ethiopia.....		11 Oct 1994 a
Cambodia.....		27 Jun 2001 a	European Union.....22 Mar 1985		17 Oct 1988 AA

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Fiji		23 Oct 1989 a	Liechtenstein.....		8 Feb 1989 a
Finland.....22 Mar 1985		26 Sep 1986	Lithuania.....		18 Jan 1995 a
France.....22 Mar 1985		4 Dec 1987 AA	Luxembourg.....17 Apr 1985		17 Oct 1988
Gabon.....		9 Feb 1994 a	Madagascar.....		7 Nov 1996 a
Gambia.....		25 Jul 1990 a	Malawi.....		9 Jan 1991 a
Georgia.....		21 Mar 1996 a	Malaysia.....		29 Aug 1989 a
Germany ^{6,7}22 Mar 1985		30 Sep 1988	Maldives.....		26 Apr 1988 a
Ghana.....		24 Jul 1989 a	Mali.....		28 Oct 1994 a
Greece.....22 Mar 1985		29 Dec 1988	Malta.....		15 Sep 1988 a
Grenada.....		31 Mar 1993 a	Marshall Islands.....		11 Mar 1993 a
Guatemala.....		11 Sep 1987 a	Mauritania.....		26 May 1994 a
Guinea.....		25 Jun 1992 a	Mauritius.....		18 Aug 1992 a
Guinea-Bissau.....		12 Nov 2002 a	Mexico.....1 Apr 1985		14 Sep 1987
Guyana.....		12 Aug 1993 a	Micronesia (Federated States of).....		3 Aug 1994 a
Haiti.....		29 Mar 2000 a	Monaco.....		12 Mar 1993 a
Holy See.....		5 May 2008 a	Mongolia.....		7 Mar 1996 a
Honduras.....		14 Oct 1993 a	Montenegro ⁸		23 Oct 2006 d
Hungary.....		4 May 1988 a	Morocco.....7 Feb 1986		28 Dec 1995
Iceland.....		29 Aug 1989 a	Mozambique.....		9 Sep 1994 a
India.....		18 Mar 1991 a	Myanmar.....		24 Nov 1993 a
Indonesia.....		26 Jun 1992 a	Namibia.....		20 Sep 1993 a
Iran (Islamic Republic of).....		3 Oct 1990 a	Nauru.....		12 Nov 2001 a
Iraq.....		25 Jun 2008 a	Nepal.....		6 Jul 1994 a
Ireland.....		15 Sep 1988 a	Netherlands ⁹22 Mar 1985		28 Sep 1988 A
Israel.....		30 Jun 1992 a	New Zealand ¹⁰21 Mar 1986		2 Jun 1987
Italy.....22 Mar 1985		19 Sep 1988	Nicaragua.....		5 Mar 1993 a
Jamaica.....		31 Mar 1993 a	Niger.....		9 Oct 1992 a
Japan.....		30 Sep 1988 a	Nigeria.....		31 Oct 1988 a
Jordan.....		31 May 1989 a	Niue.....		22 Dec 2003 a
Kazakhstan.....		26 Aug 1998 a	Norway.....22 Mar 1985		23 Sep 1986
Kenya.....		9 Nov 1988 a	Oman.....		30 Jun 1999 a
Kiribati.....		7 Jan 1993 a	Pakistan.....		18 Dec 1992 a
Kuwait.....		23 Nov 1992 a	Palau.....		29 May 2001 a
Kyrgyzstan.....		31 May 2000 a	Panama.....		13 Feb 1989 a
Lao People's Democratic Republic.....		21 Aug 1998 a	Papua New Guinea.....		27 Oct 1992 a
Latvia.....		28 Apr 1995 a	Paraguay.....		3 Dec 1992 a
Lebanon.....		30 Mar 1993 a	Peru.....22 Mar 1985		7 Apr 1989
Lesotho.....		25 Mar 1994 a	Philippines.....		17 Jul 1991 a
Liberia.....		15 Jan 1996 a	Poland.....		13 Jul 1990 a
Libya.....		11 Jul 1990 a	Portugal ³		17 Oct 1988 a
			Qatar.....		22 Jan 1996 a
			Republic of Korea.....		27 Feb 1992 a

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Republic of Moldova		24 Oct 1996 a	Tajikistan		6 May 1996 a
Romania		27 Jan 1993 a	Thailand		7 Jul 1989 a
Russian Federation	22 Mar 1985	18 Jun 1986 A	The former Yugoslav Republic of Macedonia ²		10 Mar 1994 d
Rwanda		11 Oct 2001 a	Timor-Leste		16 Sep 2009 a
Samoa		21 Dec 1992 a	Togo		25 Feb 1991 a
San Marino		23 Apr 2009 a	Tonga		29 Jul 1998 a
Sao Tome and Principe ..		19 Nov 2001 a	Trinidad and Tobago		28 Aug 1989 a
Saudi Arabia		1 Mar 1993 a	Tunisia		25 Sep 1989 a
Senegal		19 Mar 1993 a	Turkey		20 Sep 1991 a
Serbia ²		12 Mar 2001 d	Turkmenistan		18 Nov 1993 a
Seychelles		6 Jan 1993 a	Tuvalu		15 Jul 1993 a
Sierra Leone		29 Aug 2001 a	Uganda		24 Jun 1988 a
Singapore		5 Jan 1989 a	Ukraine	22 Mar 1985	18 Jun 1986 A
Slovakia ⁵		28 May 1993 d	United Arab Emirates		22 Dec 1989 a
Slovenia ²		6 Jul 1992 d	United Kingdom of Great Britain and Northern Ireland ^{4,11} ..	20 May 1985	15 May 1987
Solomon Islands		17 Jun 1993 a	United Republic of Tanzania		7 Apr 1993 a
Somalia		1 Aug 2001 a	United States of America	22 Mar 1985	27 Aug 1986
South Africa		15 Jan 1990 a	Uruguay		27 Feb 1989 a
South Sudan		12 Jan 2012 a	Uzbekistan		18 May 1993 a
Spain		25 Jul 1988 a	Vanuatu		21 Nov 1994 a
Sri Lanka		15 Dec 1989 a	Venezuela (Bolivarian Republic of)		1 Sep 1988 a
St. Kitts and Nevis		10 Aug 1992 a	Viet Nam		26 Jan 1994 a
St. Lucia		28 Jul 1993 a	Yemen		21 Feb 1996 a
St. Vincent and the Grenadines		2 Dec 1996 a	Zambia		24 Jan 1990 a
Sudan		29 Jan 1993 a	Zimbabwe		3 Nov 1992 a
Suriname		14 Oct 1997 a			
Swaziland		10 Nov 1992 a			
Sweden	22 Mar 1985	26 Nov 1986			
Switzerland	22 Mar 1985	17 Dec 1987			
Syrian Arab Republic		12 Dec 1989 a			

Declarations and Reservations

(Unless otherwise indicated, the declarations and reservations were made upon ratification, acceptance, approval, accession or succession.)

ANDORRA

The Principality of Andorra accepts as compulsory the means of dispute as described in article 11 paragraph 3 (a) of the Convention: the submission of the dispute to the International Court of Justice.

BAHRAIN¹²

"The accession by the State of Bahrain to the said Convention shall in no way constitute recognition of

Israel or be a cause for the establishment of any relations of any kind therewith."

EUROPEAN UNION

"1. On behalf of the European Community, it is hereby declared that the said Community can accept arbitration as a means of dispute settlement within the terms of the Vienna Convention for the Protection of the Ozone Layer.

It cannot accept submission of any dispute to the International Court of Justice."

"2. According to the customary procedures within the European Community, the Community's financial participation in the Vienna Convention for the Protection of the Ozone Layer and in the Montreal Protocol on substances that deplete the Ozone Layer may not involve the Community in expenditure other than administrative costs which may not exceed 2.5% of the total administrative costs."

Declaration by the European Economic Community in conformity with Article 13 (3) of the Vienna Convention for the protection of the ozone layer concerning the extent of its competence with respect to the matters covered by the Convention and by the Montreal Protocol on substances that deplete the ozone layer: In accordance with the relevant Articles of the EEC Treaty, the Community has competence to take action relating to the preservation, protection and improvement of the quality of the environment.

The Community has exercised its competence in the area covered by the Vienna Convention and the Montreal Protocol in adopting Council Decision 80/372/EEC of 26 March 1980 concerning chlorofluorocarbons in the environment (1), Council Decision 82/795/EEC of 15 November 1982 on the consolidation of precautionary measures concerning chlorofluorocarbons in the environment (2) and Council Regulation (EEC) N° 3322/88 of 14 October 1988 on certain chlorofluorocarbons and halons which deplete the ozone layer. The Community may well exercise its competence in the future by adopting further legislation in this area.

In the field of research in the environment, as referred to by the Convention, the Community has a certain competence by virtue of Council Decision 86/234/EC of 10 June 1986 adopting multiannual R&D programmes in the field of the environment (1986 to 1990).

- (1) OJ N° L 90, 3. 4. 1980, p. 45.
- (2) OJ N° L 329, 25. 11. 1982, p. 29.

FINLAND

"With respect to article 11, paragraph 3 of the Convention Finland declares that it accepts both of the said means of dispute settlement as compulsory."

HOLY SEE

"In acceding to the Vienna Convention on the Protection of the Ozone Layer and the Montreal Protocol on Substances that Deplete the Ozone Layer, as well as its four Amendments: London (1990), Copenhagen (1992), Montreal (1997) and Beijing (1999), the Holy See desires to encourage the entire International Community to be resolute in promoting authentic cooperation between politics, science and economics. Such cooperation, as has been shown in the case of the ozone regime, can achieve important outcomes, which make it simultaneously possible to safeguard creation, to promote integral human

development and to care for the common good, in a spirit of responsible solidarity and with profound positive repercussions for present and future generations.

In conformity with its own nature and with the particular character of Vatican City State, the Holy See, by means of the solemn act of accession, intends to give its own moral support to the commitment of States to the correct and effective implementation of the Treaties in question and to the attaining of the mentioned objectives. To this end, it expresses the wish that by recognizing 'the signs of [an economic growth] that has not always been able to protect the delicate balances of nature' (Homily of Pope Benedict XVI at Loreto, 2 September 2007), all actors will intensify the aforesaid cooperation and strengthen 'the alliance between man and the environment, which must mirror the creative love of God, from whom we come and to whom we are bound' (Benedict XVI, After the Angelus, 16 September 2007)."

NETHERLANDS

"In accordance with article 11, paragraph 3, of the Convention the Kingdom of the Netherlands accepts for a dispute not resolved in accordance with paragraph 1 or paragraph 2 of article 11 of the above-mentioned Convention, both of the following means of dispute settlement as compulsory:

- (a) Arbitration in accordance with procedures to be adopted by the Conference of the Parties at its first ordinary meeting;
- (b) Submission of the dispute to the International Court of Justice."

NORWAY

"Norway accepts the means of dispute settlement as described in art. 11, para 3 (a) and (b) of the Convention as compulsory, that is a) arbitration in accordance with procedures to be adopted by the Conference of the Parties at its first ordinary meeting, or b) submission of the dispute to the International Court of Justice."

SWEDEN

"Sweden accepts the following means of dispute settlement as compulsory:

Submission of the dispute to the International Court of Justice [article 11, paragraph 3 (b)]

It is, however, the intention of the Swedish Government to accept also the following means of dispute settlement as compulsory:

Arbitration in accordance with procedures to be adopted by the Conference of the Parties at its first ordinary meeting [article 11, paragraph 3 (a)].

A declaration in this latter respect will, however, not be given until the procedures for arbitration have been adopted by the Conference of the Parties at its first ordinary meeting."

Notes:

¹ For the purpose of entry into force of the [Convention/Protocol], any instrument of ratification, acceptance, approval or accession deposited by a regional economic integration organization shall not be counted as additional to those deposited by member States of that Organization.

² The former Yugoslavia had acceded to the Convention

on 16 April 1990. See also note 1 under "Bosnia and Herzegovina", "Croatia", "former Yugoslavia", "Slovenia", "The Former Yugoslav Republic of Macedonia" and "Yugoslavia" in the "Historical Information" section in the front matter of this volume.

³ On 15 February 1994, the Secretary-General received from the Government of Portugal a notification to the effect that it shall extend the Convention to Macao. Subsequently, the

Secretary-General received communications concerning the status of Macao from the Governments of the Portugal and China (see also note 3 under “China” and note 1 under “Portugal” regarding Macao in the “Historical Information” section in the front matter of this volume). Upon resuming the exercise of sovereignty over Macao, China notified the Secretary-General that the Convention will also apply to the Macao Special Administrative Region.

⁴ On 6 and 10 June 1997, the Secretary-General received communications concerning the status of Hong Kong from the Governments of the United Kingdom and China (see also note 2 under “China” and note 2 under “United Kingdom of Great Britain and Northern Ireland” regarding Hong Kong in the “Historical Information” section in the front matter of this volume). Upon resuming the exercise of sovereignty over Hong Kong, China notified the Secretary-General that the Convention with the reservation made by China will also apply to the Hong Kong Special Administrative Region.

⁵ Czechoslovakia had acceded to the Convention on 1 October 1990. See also note 1 under “Czech Republic” and note 1 under “Slovakia” in the “Historical Information” section in the front matter of this volume.

⁶ The German Democratic Republic had acceded to the Convention on 25 January 1989. See also note 2 under “Germany” in the “Historical Information” section in the front matter of this volume.

⁷ See note 1 under “Germany” regarding Berlin (West) in the “Historical Information” section in the front matter of this volume.

⁸ See note 1 under “Montenegro” in the “Historical Information” section in the front matter of this volume.

⁹ For the Kingdom in Europe, the Netherlands Antilles and Aruba.

¹⁰ The instrument of ratification indicates that in accordance with the special relationship which exists between New Zealand and the Cook Islands and between New Zealand and Niue, there have been consultations regarding the Convention between the Government of New Zealand and the Government of Cook Islands and between the Government of New Zealand and the Government of Niue; that the Government of the Cook Islands, which has exclusive competence to implement treaties in the Cook Islands, has requested that the Convention should extend to the Cook Islands; that the Government of Niue which has exclusive competence to implement treaties in Niue, has requested that the Convention should extend to Niue. The said instrument specifies that accordingly the Convention shall apply also to the Cook Islands and Niue.

In this regard, on 17 March 2004, the Secretary-General received from the Government of New Zealand, the following communications:

In respect of the Cook Islands:

“... the Government of New Zealand ratified the Convention on 2 June 1987;

... the Government of New Zealand declared, on ratification, that its ratification extended to the Cook Islands;

... the Cook Islands is a self-governing State in a relationship of free association with New Zealand, and possesses in its own right the capacity to enter into treaties and other international agreements with governments and regional and international organisations;

... the Government of the Cook Islands acceded to the Convention in its own right on 22 December 2003;

... the Government of New Zealand declares that, by reason of the accession to the Convention by the Government of the Cook Islands, it regards the Government of Cook Islands as having succeeded to the obligations under the Convention of the Government of New Zealand in respect of the Cook Islands,

... [the Government of New Zealand] declares that, accordingly, as from the date of the accession to the Convention by the Government of the Cook Islands, the Government of New Zealand ceased to have State responsibility for the observance of the obligations under the Convention in respect of the Cook Islands.”

In respect of Niue:

“... the Government of New Zealand ratified the Convention on 2 June 1987;

... the Government of New Zealand declared, on ratification, that its ratification extended to Niue;

... Niue is a self-governing State in a relationship of free association with New Zealand, and possesses in its own right the capacity to enter into treaties and other international agreements with governments and regional and international organisations;

... the Government of Niue acceded to the Convention in its own right on 22 December 2003;

... the Government of New Zealand declares that, by reason of the accession to the Convention by the Government of Niue, it regards the Government of Niue as having succeeded to the obligations under the Convention of the Government of New Zealand in respect of Niue,

... [the Government of New Zealand] further declares that, accordingly, as from the date of the accession to the Convention by the Government of Niue, the Government of New Zealand ceased to have State responsibility for the observance of the obligations under the Convention in respect of the territory of Niue.”

See also notes 1 under “Cook Islands” and “Niue” in the “Historical Information” section in the front matter of this volume.

¹¹ The instrument of ratification specifies that the said Convention is ratified in respect of the United Kingdom of Great Britain and Northern Ireland, the Bailiwick of Jersey, the Isle of Man, Anguilla, Bermuda, British Antarctic Territory, British Indian Ocean Territory, British Virgin Islands, Cayman Islands, Falkland Islands (Malvinas), Gibraltar, Hong Kong, Monserrat, Pitcairn, Henderson, Ducie and Oeno Islands, Saint Helena, Saint Helena Dependencies, South Georgia and South Sandwich

Islands, Turks and Caicos Islands, and United Kingdom Sovereign Base Areas of Akrotiri and Dhekelia in the island of Cyprus.

In this regard, the Secretary-General received, on 11 September 1987, from the Government of Argentina the following objection, which was reiterated upon its ratification of the Convention:

The Argentine Republic rejects the ratification of the above-mentioned Convention by the Government of the United Kingdom of Great Britain and Northern Ireland with respect to the Malvinas, South Georgia and South Sandwich Islands and reaffirms its sovereignty over those Islands, which form a part of its national territory.

The United Nations General Assembly has adopted resolutions 2065 (XX), 3160 (XXVIII), 31/49, 37/9, 38/12 and 39/6 in which it recognizes the existence of a sovereignty dispute concerning the question of the Malvinas and urges the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland to resume negotiations in order to find as soon as possible a peaceful and definitive solution to the dispute and to their remaining differences relating to the question, through the good offices of the Secretary-General, who is to report to the General Assembly on the progress made. The United Nations General Assembly also adopted resolution 40/21 and 41/40, which again urge the two parties to resume the negotiations.

The Argentine Republic also rejects the ratification of the above-mentioned Convention by the Government of the United Kingdom of Great Britain and Northern Ireland with respect to what that country calls "British Antarctic Territory".

At the same time, it reaffirms its rights of sovereignty over the Argentine Antarctic Sector located between longitudes 25 ° and 74 ° W and latitude 60 ° S and the South Pole, including its maritime spaces.

It is appropriate to recall, in this connection, the provisions concerning rights of or claims to territorial sovereignty in Antarctica contained in article IV of the Antarctic Treaty.

Subsequently, on 1 August 1988, the Secretary-General received from the Government of the United Kingdom of Great Britain and Northern Ireland the following communication concerning the said objection by Argentina:

"The Government of the United Kingdom reject the objection made regarding the application of the Convention by the United Kingdom to the Falkland Islands and South Georgia and the South Sandwich Islands. The Government of the United Kingdom have no doubt as to British sovereignty over the Falkland Islands and South Georgia and the South Sandwich Islands, and their consequent right to extend treaties to those territories.

With respect to the objection by the Argentine Republic to the application of the Convention to the British Antarctic Territory, the Government of the United Kingdom have no doubt as to British sovereignty over the British Antarctic Territory, and note the Argentine reference to article IV of the Antarctic Treaty to which both the Government of Argentina and the Government of the United Kingdom are parties."

Upon its ratification of the Convention, the Government of Argentina objected anew to the declaration of territorial applications in question by the Government of the United Kingdom, which in turn reiterated its position in an additional communication received on 6 July 1990.

Subsequently, the Government of Chile, upon ratification, declared the following:

The Government of Chile [. . .] states that it rejects the declarations made by the United Kingdom of Great Britain and Northern Ireland upon ratification of the Convention and by the Argentine Republic in objecting to that declaration, inasmuch as both declarations affect Chilean Antarctic territory, including the corresponding maritime jurisdictions. It once again reaffirms its sovereignty over that territory, including its sovereign maritime spaces, in accordance with the definition established by Supreme Decree 1,747, of 6 November 1940.

By a communication received on 30 August 1990, the Government of the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General that the Convention and the Protocol shall extend to the Bailiwick of Guernsey for whose international relations the Government of the United Kingdom is responsible.

The Government of Mauritius, upon acceding to the Convention, made the following declaration:

"The Republic of Mauritius rejects the ratification of [the Convention] effected by the United Kingdom of Great Britain and Northern Ireland on 15 May 1987 in respect of the British Indian Ocean Territory namely Chagos Archipelago and reaffirms its sovereignty over the Chagos Archipelago, which form an integral part of its national territory."

Subsequently, on 27 January 1993, the Secretary-General received from the Government of the United Kingdom of Great Britain and Northern Ireland the following communication with respect to the declaration made by the Government of Mauritius:

"The Government of the United Kingdom of Great Britain and Northern Ireland have no doubt as to British sovereignty over the British Indian Ocean Territory and their consequent right to extend the application of the [said] Convention and Protocol to it. Accordingly, the Government of the United Kingdom do not accept or regard as having any legal effect the declarations made by the Government of the Republic of Mauritius.

¹² In this regard, the Government of Israel notified the Secretary-General, on 18 July 1990, of the following:

In the view of the Government of the State of Israel such declaration, which is explicitly of a political character, is incompatible with the purposes and objectives of the Convention and Protocol and cannot in any way affect whatever obligations are binding upon Bahrain under general international law or under particular conventions.

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

