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SUA.1/Circ.93
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**CONVENTION FOR THE SUPPRESSION OF UNLAWFUL ACTS AGAINST THE
SAFETY OF MARITIME NAVIGATION**

Communications by Finland, the Netherlands, Portugal and Romania

The Secretary-General of the International Maritime Organization has the honour to refer to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and to state that he received communications from the Republic of Finland, on 7 February 2020, from the Kingdom of the Netherlands Portuguese Republic on 10 February 2020, and from Romania on 11 February 2020, containing objections to the reservation made by the Republic of Iraq under article 16 of the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, on 11 February 2019, and circulated by means of Circular SUA.1/Circ.91. The texts of their respective objections are reproduced below:

From Finland:

"In accordance with article 16, paragraph 2 of the Convention, each State may at the time of signature or ratification, acceptance or approval of the Convention or accession thereto, declare that it does not consider itself bound by any or all of the provisions of paragraph 1 of this article.

The Government of Finland recalls that the Republic of Iraq deposited its instrument of accession to the Convention on 21 March 2014. The reservation related to article 16, paragraph 1 of the Convention was made on 11 February 2019. Hence, the reservation was formulated too late. The Government of Finland, therefore, opposes the reservation on account of its late formulation, and considers it devoid of any legal effect."

From the Netherlands:

"In accordance with article 16, paragraph 2, of the Convention, each State Party may, at the time of signature, ratification, acceptance or approval of or accession to this Convention, declare that it does not consider itself bound by any or all of the provisions of paragraph 1 of this article. The Government of the Kingdom of the Netherlands recalls that the Republic of Iraq deposited its instrument of ratification on 21 March 2014. Since the abovementioned reservation was deposited on 11 February 2019, it was deposited too late by the Republic of Iraq.

The Government of the Kingdom of the Netherlands objects to this late reservation by the Republic of Iraq and considers it devoid of any legal effect.

This objection shall not preclude the continued application of the Convention between the Kingdom of the Netherlands and the Republic of Iraq."

From Portugal:

"The Government of the Portuguese Republic has examined the reservation formulated on 11 February 2019 by the Republic of Iraq to article 16, paragraph 2 of the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation.

Article 16, paragraph 2 of the Convention provides that a State Party may only declare that it does not consider itself bound by any or all of the provisions of paragraph 1 of this Article 'at the time of signature or ratification, acceptance or approval of this Convention or accession thereto'.

As the Republic of Iraq deposited its instrument of accession to the Convention on 21 March 2014 without making the above-mentioned reservation, the Portuguese Republic considers the reservation to be formulated late and thus opposes it."

From Romania:

"In accordance with article 16, paragraph 2 of the Convention, each State may at the time of signature or ratification, acceptance or approval of the Convention or accession thereto, declare that it does not consider itself bound by any or all of the provisions of paragraph 1 of this article.

The Government of Romania recalls that the Republic of Iraq deposited its instrument of accession to the Convention on 24 March 2014. The reservation related to article 16, paragraph 1 of the Convention was made on 11 February 2019. Hence, the reservation was not formulated in conformity with article 16, paragraph 2. The Government of Romania, therefore, opposes to the reservation on account of its late formulation, and considers it devoid of any legal effect."
