

REPUBLIC OF MONTENEGRO

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RESERVATIONS AND DECLARATIONS

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

Note

See note 1 under "Montenegro" in the "Historical Information" section in the front matter of *[the electronic version on the website of the Multilateral Treaties Deposited with the Secretary-General; <http://treaties.un.org/pages/HistoricalInfo.aspx>]*.

[Ed. Note: note 1 is as follows:

Note 1.

The National Assembly of the Republic of Montenegro adopted its Declaration of Independence on 3 June 2006, following the referendum in the Republic of Montenegro on 21 May 2006, which took place pursuant to Article 60 of the Constitutional Charter of Serbia and Montenegro. Montenegro was admitted to membership in the United Nations by General Assembly resolution A/RES/60/264 on 28 June 2006.

In a letter dated 10 October 2006, received by the Secretary-General on 23 October 2006 and accompanied by a list of multilateral treaties deposited with the Secretary-General, the Government of the Republic of Montenegro notified that:

"[The Government of]...the Republic of Montenegro decided to succeed to the treaties to which the State Union of Serbia and Montenegro was a party or signatory.

[The Government of]...the Republic of Montenegro succeeds to the treaties listed in the attached Annex and undertakes faithfully to perform and carry out the stipulations therein contained as from June 3rd 2006, which is the date the Republic of Montenegro assumed responsibility for its international relations and the Parliament of Montenegro adopted the Declaration of Independence.

[The Government of]...the Republic of Montenegro does maintain the reservations, declarations and objections made by Serbia and Montenegro, as indicated in the Annex to this instrument, prior to the date on which the Republic of Montenegro assumed responsibility for its international relations."

See also notes 1 under "Serbia" and "Serbia and Montenegro".]

[Ed. Note: Note 1 under "Serbia" is as follows:

Note 1.

As from 3 June 2006: "Serbia". Formerly: "Serbia and Montenegro" until 2 June 2006.

The Republic of Serbia continued the membership of Serbia and Montenegro in the United Nations, including all organs and organizations of the United Nations system, on the basis of Article 60 of the Constitutional Charter of Serbia and Montenegro, activated by the Declaration of Independence adopted by the National Assembly of Montenegro on 3 June 2006. Accordingly, by a letter dated 3 June 2006, the President of the Republic of Serbia notified the Secretary-General that "membership of the state union of Serbia and Montenegro is continued by the Republic of Serbia in the United Nations, including all organs and organizations of the United Nations system..."

Subsequently, in a letter dated 16 June 2006, the Minister for Foreign Affairs of the Republic of Serbia informed the Secretary-General that "the Republic of Serbia continues to exercise its rights and honour its commitments deriving from international treaties concluded by Serbia and Montenegro. Therefore, the Ministry of Foreign Affairs requests that the Republic of Serbia be considered a party to all international agreements in force, instead of Serbia and Montenegro. Furthermore, the Government of the Republic of Serbia will perform the functions formerly performed by the Council of ministers of the state union of Serbia and Montenegro as depositary for the corresponding multilateral treaties." Moreover, in a letter dated 30 June 2006, the Minister for Foreign Affairs of the Republic of Serbia confirmed that "all treaty actions undertaken by Serbia and Montenegro will continue in force with respect to the Republic of Serbia with effect from 3 June 2006. Therefore, all declarations, reservations and notifications made by Serbia and Montenegro will be maintained by the Republic of Serbia until the Secretary-General, as depositary, is duly notified otherwise."

See "Montenegro" and "Serbia and Montenegro".]

[Ed. Note: Note 1 under "Serbia is as follows:

Note 1.

As from 4 February 2003 until 2 June 2006. Formerly: "Yugoslavia" until 3 February 2003.

*See also "Montenegro", "Serbia" and "Yugoslavia".]
(Note 9, Chapter IV.8, Multilateral Treaties Deposited with the Secretary-General)*

DECLARATION RE: ARTICLES 21 AND 22

(Unless otherwise indicated, the declarations were made upon ratification, accession or succession)

Confirmed upon succession:

"Yugoslavia recognizes, in compliance with article 21, paragraph 1 of the Convention, the competence of the Committee against Torture to receive and consider communications in which one State Party to the Convention claims that another State Party does not fulfil the obligations pursuant to the Convention;

"Yugoslavia recognizes, in conformity with article 22, paragraph 1 of the Convention, the competence of the Committee against Torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention."