

WORKING DOCUMENT ON GROUP 20 (Articles 59-67).

Status as of 1 September 2023

## Chapter IX Final provisions

### *Article 59. Implementation of the Convention*

1. Each State Party shall take the necessary measures, including legislative and administrative measures, in accordance with fundamental principles of its domestic law, to ensure the implementation of its obligations under this Convention. [\[agreed ad referendum\]](#)
2. Each State Party may adopt more strict or severe measures than those provided for by this Convention for preventing and combating the offences [\[covered established \(Tanzania\)\]](#) by this Convention.

~~[2 bis. — Each State Party shall, as may be necessary, further cooperation with the private sector to ensure more effectively the implementation of its obligations under this Convention. (Mexico, Ecuador)]~~

[\[Retain original: Viet Nam, Venezuela, Iran, Cabo Verde, Argentina, Egypt, Norway, South Africa, Algeria, Indonesia, CARICOM, United States, Eritrea, Australia, United Kingdom, Chile, Angola, Peru, Yemen, India, Zimbabwe, Syria, Burkina Faso, Tonga, Qatar\]](#)

### *Article 60. Effects of the Convention*

1. If two or more States Parties have already concluded an agreement or treaty on the matters dealt with in this Convention or have otherwise established their relations on such matters, or should they in future do so, they shall also be entitled to apply that agreement or treaty or to regulate those relations accordingly. [\[However, where States Parties establish their relations in respect of the matters dealt with in the present Convention other than as regulated therein, \(they shall do so in a manner that is not inconsistent with the objectives and principles of this Convention. \(retain: China\)\) \(delete: EU & its mS, Egypt, Canada, Mauritania, Switzerland, Liechtenstein, New Zealand, Chile, Norway, Dominican Rep., United States, Japan, Australia, United Kingdom, Costa Rica, Peru, Yemen, Morocco, Tonga\)\] \[Retain original: Iran, Cabo Verde, South Africa, Algeria, CARICOM, Eritrea, Ecuador, India, Zimbabwe, Syria\]](#)
2. Nothing in this Convention shall affect other rights, restrictions, obligations and responsibilities of a State Party under international law. [\[agreed ad referendum\]](#)

### *Article 61. Relation with protocols*

[\[agreed ad referendum\]](#)

1. This Convention may be supplemented by one or more protocols.
2. In order to become a Party to a protocol, a State or a regional economic integration organization must also be a Party to this Convention.
3. A State Party to this Convention is not bound by a protocol unless it becomes a Party to the protocol in accordance with the provisions thereof.
4. Any protocol to this Convention shall be interpreted together with this Convention, taking into account the purpose of that protocol.

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*Article 62. Settlement of disputes*

1. States Parties shall endeavour to settle disputes concerning the interpretation or application of this Convention through negotiation or any other peaceful means of their own choice. [\[agreed ad referendum\]](#)
2. Any dispute between two or more States Parties concerning the interpretation or application of this Convention that cannot be settled through negotiation or other peaceful means [\[within a reasonable time \(delete: Yemen\)\]](#) shall, [\[at the request of one of those States Parties, \(delete: Malaysia, Venezuela, Iran, Egypt, Eritrea\)\]](#) be submitted to arbitration [\[upon agreement of the disputing parties \(Malaysia, Venezuela, Iran, Egypt, Eritrea\)\]](#). If, six months after the date of the request for arbitration, those States Parties are unable to agree on the organization of the arbitration, any one of those States Parties may refer the dispute to the International Court of Justice by request in accordance with the Statute of the Court. [\[Retain original: El Salvador, Liechtenstein, New Zealand, Cabo Verde, Argentina, Chile, Dominican Rep., South Africa, Algeria, Indonesia, CARICOM, United States, Guatemala, Paraguay, Australia, United Kingdom, Peru, Ecuador, India, Tanzania, Tonga\]](#)
3. 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 paragraph 2 of this article. The other States Parties shall not be bound by paragraph 2 of this article with respect to any State Party that has made such a reservation. [\[agreed ad referendum\]](#)
4. Any State Party that has made a reservation in accordance with paragraph 3 of this article may at any time withdraw that reservation by notification to the Secretary-General of the United Nations. [\[agreed ad referendum\]](#)

*Article 63. Signature, ratification, acceptance, approval and accession*

[\[agreed ad referendum\]](#)

1. This Convention shall be open to all States for signature from [\[date\]](#) to [\[date\]](#) in [\[city\]](#), [\[country\]](#), and thereafter at United Nations Headquarters in New York until [\[date\]](#).
2. This Convention shall also be open for signature by regional economic integration organizations, provided that at least one member State of such an organization has signed this Convention in accordance with paragraph 1 of this article.
3. This Convention is subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Secretary-General of the United Nations. A regional economic integration organization may deposit its instrument of ratification, acceptance or approval if at least one of its member States has done likewise. In that instrument of ratification, acceptance or approval, such organization shall declare the extent of its competence with respect to the matters governed by this Convention. Such organization shall also inform the depositary of any relevant modification in the extent of its competence.
4. This Convention is open for accession by any State or any regional economic integration organization of which at least one member State is a Party to this Convention. Instruments of accession shall be deposited with the Secretary-General of the United Nations. At the time of its accession, a regional economic integration organization shall declare the extent of its competence with respect to matters governed by this Convention. Such organization shall also inform the depositary of any relevant modification in the extent of its competence.

*Article 64. Entry into force*

1. This Convention shall enter into force on the ninetieth day after the date of deposit of the [\[fortieth alt: \(sixtieth \(Mexico, Canada, Switzerland, Liechtenstein, New Zealand, Norway, Dominican Rep., Singapore, United States, Japan, Guatemala,](#)

Australia)) (thirtieth (Russian Federation, Venezuela, China, Iran, Egypt, Algeria, Eritrea, India, Syria, Burkina Faso, Qatar, Mali, Sierra Leone)) (twentieth (Mauritania, Zimbabwe)) (Retain original: Brazil, India, El Salvador, Iran, Cabo Verde, Argentina, South Africa, Algeria, Indonesia, CARICOM, Paraguay, United Kingdom, Peru, Yemen, Viet Nam, Ecuador, Tanzania, Morocco, Armenia, Angola, Tonga)] instrument of ratification, acceptance, approval or accession. For the purpose of this paragraph, any instrument deposited by a regional economic integration organization shall not be counted as additional to those deposited by member States of that organization.

2. For each State or regional economic integration organization ratifying, accepting, approving or acceding to this Convention after the deposit of the [fortieth alt: (sixtieth (Mexico, Canada, Switzerland, Liechtenstein, New Zealand, Norway, Dominican Rep., Singapore, United States, Japan, Guatemala, Australia)) (thirtieth (Russian Federation, Venezuela, China, Iran, Egypt, Algeria, Eritrea, India, Syria, Burkina Faso, Mali, Sierra Leone)) (twentieth (Mauritania, Zimbabwe)) (Retain original: Brazil, India, El Salvador, Iran, Cabo Verde, Argentina, South Africa, Algeria, Indonesia, CARICOM, United Kingdom, Peru, Yemen, Viet Nam, Ecuador, Tanzania, Morocco, Angola, Tonga)] instrument of such action, this Convention shall enter into force on the thirtieth day after the date of deposit by such State or organization of the relevant instrument or on the date on which this Convention enters into force pursuant to paragraph 1 of this article, whichever is later.

*[Article 64 bis. Provisional application*

1. This Convention may be applied provisionally by a State or regional economic integration organization that consents to its provisional application by so notifying the depositary in writing at the time of signature or deposit of its instrument of ratification, acceptance, approval or accession. Such provisional application shall become effective from the date of receipt of the notification by the Secretary-General of the United Nations.

[2. Provisional application by a State or regional economic integration organization shall terminate upon the entry into force of this Convention for that State or regional economic integration organization or upon notification by that State or regional economic integration organization to the depositary in writing of its intention to terminate its provisional application. (delete par. 2 (India)

(Mexico) (delete: Iran)]

*Article 65. Amendment*

1. After the [either (Canada, Liechtenstein, New Zealand, Norway, Dominican Rep., Australia)] expiry of [five alt: eight (Canada, Liechtenstein, New Zealand, Norway, Dominican Rep., Australia) three (Russian Federation, Mauritania, Venezuela, Mali)] years from the entry into force of this Convention, [or the deposit of the eightieth instrument of ratification, acceptance or approval (Canada, Liechtenstein, New Zealand, Norway, Dominican Rep., Australia)] a State Party may propose an amendment and transmit it to the secretariat, who shall thereupon communicate the proposed amendment to the States Parties and to the Conference of the States Parties to the Convention for the purpose of considering and deciding on the proposal. The Conference shall make every effort to achieve consensus on each amendment. If all efforts at consensus have been exhausted and no agreement has been reached, the amendment shall, as a last resort, require for its adoption a two-thirds majority vote of the States Parties present and voting at the meeting of the Conference. [Retain original: Brazil, Russian Federation, India, Malaysia, Venezuela, El Salvador, China, Iran, Cabo Verde, Argentina, South Africa, Algeria, Indonesia, CARICOM, Eritrea, Guatemala, Paraguay, Peru, Yemen, Viet Nam, Ecuador, India, Tanzania, Zimbabwe, Burkina Faso, Tonga, Mali]

2. Regional economic integration organizations, in matters within their competence, shall exercise their right to vote under this article with a number of votes

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equal to the number of their member States that are Parties to this Convention. Such organizations shall not exercise their right to vote if their member States exercise theirs and vice versa. [\[agreed ad referendum\]](#)

3. An amendment adopted in accordance with paragraph 1 of this article is subject to ratification, acceptance or approval by States Parties. [\[agreed ad referendum\]](#)

4. An amendment adopted in accordance with paragraph 1 of this article shall enter into force in respect of a State Party ninety days after the date of the deposit with the Secretary-General of the United Nations of an instrument of ratification, acceptance or approval of such amendment. [\[agreed ad referendum\]](#)

5. When an amendment enters into force, it shall be binding on those States Parties that have expressed their consent to be bound by it. Other States Parties shall still be bound by the provisions of this Convention and any earlier amendments that they have ratified, accepted or approved. [\[agreed ad referendum\]](#)

#### *[\[Article 65 bis. Reservations\]](#)*

[1. Reservations incompatible with the object and purpose of the present Convention shall not be permitted.](#)

[\[2. Reservations may be withdrawn at any time. \(delete: India\)\]](#)

[\(Malaysia\) \(delete: Iran, Norway, Paraguay, United Kingdom, Ecuador\)\]](#)

#### *Article 66. Denunciation*

1. A State Party may denounce this Convention by written notification to the Secretary-General of the United Nations. Such denunciation shall become effective [\[one year alt: six months \(Russian Federation, Venezuela, Mali\) \(retain original: El Salvador, Iran, South Africa, Algeria, CARICOM, United States, Eritrea, Guatemala, Paraguay, United Kingdom, Angola, Peru, Yemen, Ecuador, India, Tanzania, Zimbabwe, Tonga\)\]](#) after the date of receipt of the notification by the Secretary-General.

2. A regional economic integration organization shall cease to be a Party to this Convention when all of its member States have denounced it. [\[agreed ad referendum\]](#)

3. Denunciation of this Convention in accordance with paragraph 1 of this article shall entail the denunciation of any protocols thereto. [\[agreed ad referendum\]](#)

#### *Article 67. Depositary and languages*

[\[agreed ad referendum\]](#)

1. The Secretary-General of the United Nations is designated depositary of this Convention.

2. The original of this Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

IN WITNESS WHEREOF, the undersigned plenipotentiaries, being duly authorized thereto by their respective Governments, have signed this Convention.