

APPLICATION OF THE PARIS CONVENTION TO NON-METROPOLITAN TERRITORIES OF THE CONTRACTING PARTIES

NOTIFICATIONS UNDER ARTICLE 23 (b) OF THE PARIS CONVENTION

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NOTE:

Article 23 (a) of the Paris Convention (PC) provides that the Convention shall apply to the metropolitan territories of the Contracting Parties.

Article 23 (b) stipulates that Signatories or the Contracting Parties may notify the OECD Secretary-General that the Convention shall also apply to non-metropolitan territories which are mentioned in the notification.¹

The Table gives an overview of the notifications provided under Article 23 (b) of the PC, as amended by the Additional Protocol of 28 January 1964 (the “1964 Additional Protocol”), by the Protocol of 16 November 1982 (the “1982 Protocol”) and by the Protocol of 12 February 2004 (the “2004 Protocol”), respectively.²

The notifications relating to the 2004 Protocol reflect the latest status of application of the PC to non-metropolitan territories of the Contracting Parties.

As required by the Convention, copies of all notifications referred to under Article 23 (b) remain with the depositary of the Convention, the Secretary General of the OECD.

¹ Article 23 of the Paris Convention provides that:

- a. This Convention shall apply to the metropolitan territories of the Contracting Parties.
- b. Any Signatory or Contracting Party may, at the time of signature, ratification, acceptance or approval of, or accession to, this Convention or at any later time, notify the Secretary-General of the Organisation that this Convention shall apply to those of its territories, including the territories for whose international relations it is responsible, to which this Convention is not applicable in accordance with paragraph (a) of this Article and which are mentioned in the notification. Any such notification may, in respect of any territory or territories mentioned therein, be withdrawn by giving twelve months' notice to that effect to the Secretary-General of the Organisation.
- c. Any territories of a Contracting Party, including the territories for whose international relations it is responsible, to which this Convention does not apply shall be regarded for the purposes of this Convention as being a territory of a non-Contracting State.

² Austria and Luxembourg signed the Paris Convention, the 1964 Additional Protocol and the 1982 Protocol, but have not ratified these instruments. In addition, they have not signed the Protocol of 12 February 2004.

Notifications under Article 23 (b) of the Paris Convention

	The 1960 PC and its 1964 Additional Protocol shall apply to:	Date of the notification	The 1982 Protocol, shall apply to: ³	Date of the notification	The 2004 Protocol, shall apply to: ⁴	Date of the notification
Austria						
Belgium						
Denmark	Greenland ⁵	5 September 1975				
Finland						
France	French Overseas Departments and Territories (<i>Départements d'outre mer- DOM- & Territoires d'outre mer – TOM</i>)	9 March 1966	French Overseas Territories (TOM); ⁶ Local Authority of Mayotte (<i>Collectivité de Mayotte</i>)	No ratification but application authorised by the Law No. 90-488 of 16 June 1990	a. Guadeloupe, b. French Guiana, c. Martinique, d. Réunion, e. Mayotte, f. New Caledonia, g. French Polynesia, h. Saint Barthélemy, i. Saint Martin, j. Saint Pierre and Miquelon, k. French Southern and Antarctic Lands, l. Wallis and Futuna	22 February 2022

³ The notification took effect on the date of entry into force of the 1982 Protocol (i.e. 7 October 1988).

⁴ The notifications take effect on the date of entry into force of the 2004 Protocol (i.e. 1 January 2022) or, in case the concerned notifications are provided after this date, on the date of receipt of the original notifications by the depositary of the PC, the Secretary General of the OECD.

⁵ Greenland Home Rule Act entered into force on 1 May 1979 following a consultative referendum in Greenland.

Note: Denmark notified that the PC, as amended by the 1964 Additional Protocol and the 1982 Protocol should not apply to the Faroe Islands, respectively on 5 September 1975 and on 16 May 1989. On 17 December 2021, Denmark notified that the 2004 Protocol should not apply to Greenland and the Faroe Islands.

⁶ The French Overseas Departments (DOM) have the same status as metropolitan departments in France.

	The 1960 PC and its 1964 Additional Protocol shall apply to:	Date of the notification	The 1982 Protocol , shall apply to: ³	Date of the notification	The 2004 Protocol , shall apply to: ⁴	Date of the notification
Germany ⁷	West Berlin	30 September 1975	West Berlin	25 September 1985		
Greece						
Italy						
Luxembourg						
Netherlands ⁸						
Norway						
Portugal						
Slovenia						
Spain						
Sweden						
Switzerland						
Türkiye						

⁷ On 13 December 2021, Germany withdrew its declarations of 30 September 1975 and of 25 September 1985 relating to the application of the PC, as amended by the 1964 Protocol and the 1982 Protocol, respectively, to West Berlin.

⁸ On 17 December 2021, the Netherlands notified that the 2004 Protocol should apply to the European part of the Netherlands.

	The 1960 PC and its 1964 Additional Protocol shall apply to:	Date of the notification	The 1982 Protocol , shall apply to: ³	Date of the notification	The 2004 Protocol , shall apply to: ⁴	Date of the notification
United Kingdom ⁹	Gibraltar	4 December 1970				
	Bahamas, ¹⁰ Cayman Islands, Falkland Islands, ¹¹ Gilbert and Ellice Islands, ¹² Hong Kong, Montserrat, Solomon Islands ¹³	23 March 1972				
	Saint Helena and Saint Helena Dependencies	19 April 1972				
	British Virgin Islands	29 March 1973	British Virgin Islands, Cayman Islands, Gibraltar, Hong Kong, ¹⁴ Montserrat, Saint Helena, Saint Helena Dependencies	26 August 1985 (ratification by the UK)		
	Bailiwick of Guernsey	21 August 1979	Bailiwick of Guernsey	18 March 1986		
	Isle of Man	28 June 1977	Isle of Man	2 December 1987		
	Bailiwick of Jersey	6 March 1981	Bailiwick of Jersey	25 February 1988		

⁹ On 21 January 2022, the United Kingdom notified that it ratified the 2004 Protocol on behalf of the United Kingdom of Great Britain and Northern Ireland only, and not the United Kingdom Crown Dependencies or Overseas Territories.

¹⁰ The Bahamas achieved independence in 1973 (1973 Bahamas Independence Order – *The Constitution of the Commonwealth of the Bahamas*) and became a fully self-governing member of the Commonwealth.

¹¹ The Falkland Islands are a United Kingdom Overseas Territory, self-governing except for areas of foreign affairs and defence.

¹² The Gilbert and Ellice Islands were divided in 1976 into two different colonies which became independent shortly after: the Gilbert Islands became independent as Kiribati in 1979 and the Ellice Islands became Tuvalu in 1978.

¹³ The Solomon Islands became independent on 7 July 1978. It is a parliamentary democracy within the Commonwealth.

¹⁴ By a letter dated of 18 June 1997, the MFA of the People’s Republic of China notified the Secretary General of the OECD that the 1960 Paris Convention, as amended by the 1964 Additional Protocol and the 1982 Protocol, will continue to apply to the Hong Kong Special Administrative Region with effect from 1 July 1997. The Contracting Parties to the Paris Convention, as amended by the 1964 Additional Protocol and the 1982 Protocol, adopted on 12 October 2000 a “Declaration on the application on the Paris Convention on Third Party Liability in the field of Nuclear Energy to the Hong Kong Special Administrative Region (HKSAR)”.