



ΠΑΡΑΡΤΗΜΑ ΠΡΩΤΟ
ΤΗΣ ΕΠΙΣΗΜΗΣ ΕΦΗΜΕΡΙΔΑΣ ΤΗΣ ΔΗΜΟΚΡΑΤΙΑΣ
Αρ. 2565 της 21ης ΔΕΚΕΜΒΡΙΟΥ 1990
ΝΟΜΟΘΕΣΙΑ

Ο περί της Σύμβασης της Βιέννης για το Δίκαιο των Συνθηκών μεταξύ Κρατών και Διεθνών Οργανισμών ή μεταξύ Διεθνών Οργανισμών (Κυρωτικός) Νόμος του 1990 εκδίδεται με δημοσίευση στην Επίσημη Εφημερίδα της Κυπριακής Δημοκρατίας σύμφωνα με το Άρθρο 52 του Συντάγματος.

Αριθμός 234 του 1990

ΝΟΜΟΣ ΠΟΥ ΚΥΡΩΝΕΙ ΤΗ ΣΥΜΒΑΣΗ ΤΗΣ ΒΙΕΝΝΗΣ ΓΙΑ ΤΟ ΔΙΚΑΙΟ ΤΩΝ ΣΥΝΘΗΚΩΝ ΜΕΤΑΞΥ ΚΡΑΤΩΝ ΚΑΙ ΔΙΕΘΝΩΝ ΟΡΓΑΝΙΣΜΩΝ Ή ΜΕΤΑΞΥ ΔΙΕΘΝΩΝ ΟΡΓΑΝΙΣΜΩΝ

Η Βουλή των Αντιπροσώπων ψηφίζει ως ακολούθως:

1. Ο παρών Νόμος θα αναφέρεται ως ο περί της Σύμβασης της Βιέννης για το Δίκαιο των Συνθηκών μεταξύ Κρατών και Διεθνών Οργανισμών ή μεταξύ Διεθνών Οργανισμών (Κυρωτικός) Νόμος του 1990.

Συνοπτικός
τίτλος.

2. Στον παρόντα Νόμο—

Ερμηνεία.

«Σύμβαση» σημαίνει τη Σύμβαση της Βιέννης για το Δίκαιο των Συνθηκών μεταξύ Κρατών και Διεθνών Οργανισμών ή μεταξύ Διεθνών Οργανισμών που έγινε στη Βιέννη στις 21 Μαρτίου του 1986 και της οποίας το κείμενο στο αγγλικό πρωτότυπο εκτίθεται στο Μέρος Ι και σε Ελληνική μετάφραση στο Μέρος ΙΙ του Πίνακα:

Πίνακας
Μέρος Ι
Μέρος ΙΙ.

Νοείται ότι σε περίπτωση αντίθεση μεταξύ των δυο κειμένων, υπερισχύει το κείμενο που εκτίθεται στο Μέρος Ι του Πίνακα.

3. Η Σύμβαση της οποίας η υπογραφή εκ μέρους της Κυπριακής Δημοκρατίας έγινε μετά από Απόφαση του Υπουργικού Συμβουλίου ημερομηνίας 11 Ιουνίου 1987 και με αρ. 28.683, με τον παρόντα Νόμο κυρώνεται.

Κύρωση της
Σύμβασης.

ΜΕΡΟΣ Ι
VIENNA CONVENTION ON THE LAW OF TREATIES
BETWEEN STATES AND INTERNATIONAL ORGANIZATIONS
OR BETWEEN INTERNATIONAL ORGANIZATIONS

The Parties to the present Convention,

Considering the fundamental role of treaties in the history of international relations,

Recognizing the consensual nature of treaties and their ever-increasing importance as a source of international law,

Noting that the principles of free consent and of good faith and the pacta sunt servanda rule are universally recognized,

Affirming the importance of enhancing the process of codification and progressive development of international law at a universal level,

Believing that the codification and progressive development of the rules relating to treaties between States and international organizations or between international organizations are means of enhancing legal order in international relations and of serving the purposes of the United Nations,

Having in mind the principles of international law embodied in the Charter of the United Nations, such as the principles of the equal rights and self-determination of peoples, of the sovereign equality and independence of all States, of non-interference in the domestic affairs of States, of the prohibition of the threat or use of force and of universal respect for, and observance of, human rights and fundamental freedoms for all,

Bearing in mind the provisions of the Vienna Convention on the Law of Treaties of 1969,

Recognizing the relationship between the law of treaties between States and the law of treaties between States and international organizations or between international organizations,

Considering the importance of treaties between States and international organizations or between international organizations as a useful means of developing international relations and ensuring conditions for peaceful co-operation among nations, whatever their constitutional and social systems,

Having in mind the specific features of treaties to which international organizations are parties as subjects of international law distinct from States,

Noting that international organizations possess the capacity to conclude treaties which is necessary for the exercise of their functions and the fulfilment of their purposes,

Recognizing that the practice of international organizations in concluding treaties with States or between themselves should be in accordance with their constituent instruments,

Affirming that nothing in the present Convention should be interpreted as affecting those relations between an international organization and its members which are regulated by the rules of the organization,

Affirming also that disputes concerning treaties, like other international disputes, should be settled, in conformity with the Charter of the United Nations, by peaceful means and in conformity with the principles of justice and international law,

Affirming also that the rules of customary international law will continue to govern questions not regulated by the provisions of the present Convention.

Have agreed as follows:

PART I

INTRODUCTION

Article 1

Scope of the present Convention

The present Convention applies to:

(a) treaties between one or more States and one or more international organizations, and

(b) treaties between international organizations.

Article 2

Use of terms

1. For the purposes of the present Convention:

(a) "treaty" means an international agreement governed by international law and concluded in written form:

(i) between one or more States and one or more international organizations; or

(ii) between international organizations,

whether that agreement is embodied in a single instrument or in two or more related instruments and whatever its particular designation;

(b) "ratification" means the international act so named whereby a State establishes on the international plane its consent to be bound by a treaty;

(b bis) "act of formal confirmation" means an international act corresponding to that of ratification by a State, whereby an international organization establishes on the international plane its consent to be bound by a treaty;

(b ter) "acceptance", "approval" and "accession" mean in each case the international act so named whereby a State or an international organization establishes on the international plane its consent to be bound by a treaty;

(c) "full powers" means a document emanating from the competent authority of a State or from the competent organ of an international organization designating a person or persons to represent the State or the organization for negotiating, adopting or authenticating the text of a treaty, for expressing the consent of the State or of the organization to be bound by a treaty, or for accomplishing any other act with respect to a treaty;

(d) "reservation" means a unilateral statement, however phrased or named, made by a State or by an international organization when signing, ratifying, formally confirming, accepting, approving or acceding to a treaty, whereby it purports to exclude or to modify the legal effect of certain provisions of the treaty in their application to that State or to that organization;

(e) "negotiating State" and "negotiating organization" mean respectively:

(i) a State, or

(ii) an international organization,

which took part in the drawing up and adoption of the text of the treaty;

(f) "contracting State" and "contracting organization" mean respectively:

(i) a State, or

(ii) an international organization,

which has consented to be bound by the treaty, whether or not the treaty has entered into force;

(g) "party" means a State or an international organization which has consented to be bound by the treaty and for which the treaty is in force;

(h) "third State" and "third organization" mean respectively:

- (i) a State, or
- (ii) an international organization,

not a party to the treaty;

(i) "international organization" means an intergovernmental organization;

(j) "rules of the organization" means, in particular, the constituent instruments, decisions and resolutions adopted in accordance with them, and established practice of the organization.

2. The provisions of paragraph 1 regarding the use of terms in the present Convention are without prejudice to the use of those terms or to the meanings which may be given to them in the internal law of any State or in the rules of any international organization.

Article 3

International agreements not within the scope of the present Convention

The fact that the present Convention does not apply:

- (i) to international agreements to which one or more States, one or more international organizations and one or more subjects of international law other than States or organizations are parties;
- (ii) to international agreements to which one or more international organizations and one or more subjects of international law other than States or organizations are parties;
- (iii) to international agreements not in written form between one or more States and one or more international organizations, or between international organizations; or
- (iv) to international agreements between subjects of international law other than States or international organizations;

shall not affect:

- (a) the legal force of such agreements;
- (b) the application to them of any of the rules set forth in the present Convention to which they would be subject under international law independently of the Convention;