



242.512-0 – GEN 3/14

Notification aux Gouvernements des Etats parties aux Conventions de Genève du 12 août 1949 pour la protection des victimes de la guerre

CONVENTIONS

I. Communication des Etats-Unis d'Amérique

Le 16 mai 2014, le Conseil fédéral suisse a reçu des Etats-Unis d'Amérique la communication suivante (version originale anglaise):

*«The Embassy of the United States of America [...] refers to the Federal Department's notification [...] dated April 10, 2014 [...] regarding the purported accession of the 'State of Palestine' to the following multilateral treaties for which the Swiss Federal Council is depositary:
Geneva Convention for the amelioration of the condition of the wounded and sick in armed forces in the field of August 12, 1949;
Geneva Convention for the amelioration of the condition of wounded, sick and shipwrecked members of armed forces at sea of August 12, 1949;
Geneva Convention relative to the treatment of prisoners of war of August 12, 1949;
Geneva Convention relative to the protection of civilian persons in time of war of August 12, 1949.*

The Government of the United States of America does not believe the 'State of Palestine' qualifies as a sovereign State and does not recognize it as such. Accession to the said treaties is limited to sovereign States. Therefore, the Government of the United States of America believes that the 'State of Palestine' is not qualified to accede to the said treaties and affirms that it will not consider itself to be in a treaty relationship with the 'State of Palestine' under the said treaties.»

II. Communication de l'Etat d'Israël

Le 16 mai 2014, le Conseil fédéral suisse a reçu de l'Etat d'Israël la communication suivante (version originale anglaise):

«The Embassy of Israel [...] refers to the communication [...] dated 10 April 2014, regarding the Palestinian request to accede to the [four Geneva Conventions of 12 August 1949 for the Protection of War Victims]. 'Palestine' does not satisfy the criteria for statehood under international law and lacks the legal capacity to join the aforesaid conventions both under general international law and the terms of bilateral Israeli-Palestinian agreements. The Government of Israel does not recognize 'Palestine' as a State, and wishes to place on record, for the sake of clarity, its position that it does not consider 'Palestine' a party to the Conventions and regards the Palestinian request for accession as being without legal validity and without effect upon Israel's treaty relations under the Conventions.»

CONVENTIONS ET PROTOCOLE ADDITIONNEL I

III. Communication du Canada

Le 16 mai 2014, le Conseil fédéral suisse a reçu du Canada la communication suivante (version originale anglaise):

«The Embassy of Canada [...] has the honour to refer to the [...] Swiss Federal Council's communication of 10 April 2014 [...] relating to the Conventions and Protocol I. The Embassy of Canada notes that this communication was made pursuant to the Swiss Federal Council's capacity as depositary for the Geneva Conventions and Protocol I. The Embassy of Canada notes the technical and administrative role of the depositary, and that it is for states party to a treaty, not the depositary, to make their own determination with respect to any legal issues raised by instruments circulated by a depositary. In that context, the Embassy of Canada notes that 'Palestine' does not meet the criteria of a state under international law and is not recognized by Canada as a state. Therefore, in order to avoid confusion, the Embassy of Canada wishes to note its position that, in the context of the purported Palestinian accession to the Conventions and Protocol I, 'Palestine' is not able to accede to the Conventions and Protocol I and that the Conventions and Protocol I do not enter into force or have an effect on Canada's treaty relations, with respect to the 'State of Palestine'.»

PROTOCOLE ADDITIONNEL I

IV. Déclaration de la Fédération de Saint-Kitts-et-Nevis

Le 17 avril 2014, la Fédération de Saint-Kitts-et-Nevis a déposé auprès du Conseil fédéral suisse la déclaration suivante (version originale anglaise):

«The Government of the Federation of St Kitts and Nevis declares that it recognises ipso facto and without special agreement, in relation to any other High Contracting Party accepting the same obligation, the competence of the International Fact-Finding Commission to enquire into allegations by such other Party, as authorised by Article 90 of Protocol I Additional to the Geneva Conventions of 1949».

PROTOCOLE ADDITIONNEL III

V. Ratification par la République portugaise

Le 22 avril 2014, la République portugaise a déposé auprès du Conseil fédéral suisse son instrument de ratification du Protocole III.

Conformément à son article 11, paragraphe 2, le Protocole entrera en vigueur pour la République portugaise six mois après le dépôt de l'instrument, soit le 22 octobre 2014.

La présente notification est faite par le Conseil fédéral suisse en sa qualité de dépositaire (www.dfae.admin.ch/depositaire) des Conventions de Genève et des Protocoles additionnels.

Berne, le 21 mai 2014

