

## Declarations/reservations and objections thereto

**Canada****ratified 06 Jun 2017**

Upon ratification:

"The Government of Canada hereby declares that for the purposes of the application of subparagraph 1(b)(ii) [of Article V] of the Convention, a person with foreign nationality, considered under Canadian law as having his or her habitual residence in Canada, is assimilated to a national of Canada."

"The Government of Canada hereby declares that Canada does not consider itself bound by either or both of the dispute settlement procedures provided for in paragraph 2 of Article XVI of the Convention on Supplementary Compensation for Nuclear Damage, adopted at Vienna on 12 September 1997."

**India, Republic of****ratified 04 Feb 2016**

Upon ratification:

"The Government of the Republic of India, in accordance with paragraph 1 of Article XVIII of the Convention, declares that its national law complies with the provisions of the Annex to the Convention; India has enacted the Civil Liability for Nuclear Damage Act of 2010 to provide for civil liability for nuclear damage and prompt compensation to the victims of a nuclear incident through a no-fault liability regime channelling liability to the operator, appointment of Claims Commissioner, establishment of Nuclear Damage Claims Commission and for matters connected therewith or incidental thereto. The Civil Liability for Nuclear Damage Act of 2010 complies with the provisions of the Annex to the Convention on Supplementary Compensation for Nuclear Damage. (Please see:

<http://goo.gl/V7EvhJ>).

ii. The Government of the Republic of India, in accordance with paragraph 3 of Article XVI, declares that it does not consider itself bound by both of the dispute settlement procedures provided in paragraph 2."

**Japan****accepted 15 Jan 2015**

Upon acceptance:

"Japan [...] declares that in accordance with Article V.2 of the Convention, for the purposes of the application of Article V. 1 (b) (ii) of the Convention, a person with foreign nationality, considered under its law as having his or her habitual residence in the territory of Japan, is assimilated to a national of Japan."

[Reservations:]

"1. In implementing the Convention on Supplementary Compensation for Nuclear Damage (hereinafter referred to as "the Convention"), Japan reserves the following rights in cases where jurisdiction over actions concerning nuclear damage from a nuclear incident lies with the courts of Japan pursuant to the relevant provisions of the Convention and where a Japanese operator is liable for the nuclear damage, without prejudice to the undertaking under Article III of the Convention:

(1) In the absence of the conditions specified in Article 1.2 (a) and (b) of the Annex of the Convention, the right not to be bound by 'provided that: (a) with respect to nuclear installations, criteria for such exclusion have been established by the Board of Governors of the International Atomic Energy Agency and any exclusion by an Installation State satisfies such criteria; and (b) with respect to small quantities of nuclear material, maximum limits for the exclusion of such quantities have been established by the Board of Governors of the International Atomic Energy Agency and any exclusion by an Installation State is within such established limits' of Article 1.2 of the Annex of the Convention and

(2) The right not to be bound by the provision of Article 3.7 (b) of the Annex of the Convention."

"2. In implementing the Convention, Japan reserves the right to decide the operator liable in accordance with the national laws and regulations of Japan, notwithstanding the provisions of sub-paragraphs (b) (i) to (iii) and sub-paragraphs (c) (i) to (iii) of Article 3.1 of the Annex of the Convention, in cases where a nuclear incident involving nuclear material carried between a Japanese operator and an operator of another Contracting Party occurs within the territory or the area of the exclusive economic zone of Japan and where the jurisdiction over actions concerning nuclear damage from the said incident lies with the courts of Japan pursuant to the relevant provisions of the Convention."

**United Arab Emirates****ratified 07 Jul 2014**

Upon ratification:

"The [United Arab Emirates] [...] wishes to make known its reservation regarding the text of paragraph 2 of Article XVI of the Convention on the matter of the submission of disputes to arbitration or to the International Court of Justice, as it does not consider the United Arab Emirates to be bound thereby."  
(Original: Arabic)

**United States of America****ratified 21 May 2008**

Upon ratification:

"As provided for in paragraph 3 of Article XVI, the United States declares that it does not consider itself bound by either of the dispute settlement procedures provided for in paragraph 2 of that Article, but reserves the right in a particular case to agree to follow the dispute settlement procedures of the Convention or any other procedures."