

VIENNA CONVENTION ON SUCCESSION OF STATES IN RESPECT OF PROPERTY, ARCHIVES AND DEBTS

Concluded in Vienna on 8 April 1983

Entry into force: NOT YET IN FORCE

At the end of September 1998: Signatories: 6 Parties: 5

General provisions

Part II ? STATE PROPERTY

(Article 7 ff.)

State property ? definition, art. 8

TRANSFER OF PART OF THE TERRITORY OF A STATE (Art. 14)

Settle by agreement. In absence of such agreement:

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| Immovable property of the predecessor State situated in the territory to which the succession of States relates | Shall pass to the successor State |
| Movable property of the predecessor State connected with the activity of the predecessor State in respect of the territory to which the succession of States relates | Shall pass to the successor State |

Date of the succession

Part III ? NEWLY INDEPENDENT STATES (Article 15 ff.)

Immovable property

- a. situated in the territory
pass to successor
- b. having belonged to the territory to which the succession of States relates, situated outside and having become property of the predecessor, pass to successor
- c. to the creation of which the dependent territory has contributed, shall pass to the successor State in the proportion to the contribution of the dependent territory.

Movable State property:

situated in the territory ? pass to the successor having belonged to the territory and having become the property of predecessor, pass to successor other property to the creation of which the dependent territory contributed pass to the successor in the proportion to the contribution of the dependent territory

BILATERAL TREATIES OF NEWLY INDEPENDENT STATES

Bilateral treaties in respect of the territory to which the succession relates and in force at the date of succession

Articles 24 and 25

Are considered as being in force between the newly independent State and other State party:

- a. they expressly agree, or
- b. by reason of their conduct they are to be considered as having so agreed

It is from the date of the succession unless otherwise established

Part IV ? UNITING AND SEPARATION OF STATES

(Article 31)

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| <p>WHEN ONE OR MORE STATES UNITE AND FORM ONE SUCCESSOR STATE</p> | |
| <p>Any Treaty in force at the date of succession</p> | <p>Continue to be in force, unless:</p> <ul style="list-style-type: none"> a. successor and other state otherwise agree b. it appears from the treaty that it will be incompatible or would radically change the conditions of the operation of the treaty <p>Such treaty will apply only in respect of the part of the territory of the successor State in respect of which the treaty was in force at the date of the succession, unless</p> <ul style="list-style-type: none"> a. successor make a notification in case of treaties not requiring agreement of other parties b. successor State and other parties agree c. in case of bilateral treaties both parties agree |

Specific provisions for the situations:

Treaties not yet in force at the date of succession

Treaties signed by predecessor State subject to ratification, acceptance or approval

(Article 31)

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| <p>SEPARATION OF PARTS OF THE TERRITORY OF THE STATE AND FORMATION OF ONE OR MORE STATES</p> | |
| <p>Any Treaty in respect of the entire territory of the predecessor State, in force at the date of succession</p> | <p>Continue to be in force in respect of each successor State so formed</p> <p>Unless:</p> <p>a) the States concerned otherwise agree, or</p> <p>a. it appears from the treaty that it will be incompatible or would radically change the conditions of the operation of the treaty</p> |
| <p>Any Treaty in respect of the only of that part of the territory of the predecessor State which has become a successor state, in force at the date of succession</p> | <p>Continue to be in force in respect of that successor State alone</p> |

After the separation of any part of the territory of a State, the predecessor State continues to exist, any treaty which at the date of succession of States was in respect of the predecessor State

Continue to be in force in respect of its remaining territory, unless

- a) the States concerned otherwise agree, or
- b) it appears from the treaty that it will be incompatible or would radically change the conditions of the operation of the treaty

Specific provisions for the situations:

Treaties not yet in force at the date of succession

Treaties signed by predecessor State subject to ratification, acceptance or approval