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**КОМИССИЯ ПО ПРАВАМ ЧЕЛОВЕКА**

Подкомиссия по поощрению и защите прав человека

Пятьдесят четвертая сессия

Пункт 6 повестки дня

**КОНКРЕТНЫЕ ПРОБЛЕМЫ ПРАВ ЧЕЛОВЕКА**

**Оговорки к договорам о правах человека**

**Рабочий документ, предваряющий представление расширенного рабочего документа, подготовленного Франсуазой Хэмпсон и представляемого в соответствии с решением 2001/17 Подкомиссии**

1. В своем решении 1998/113 Подкомиссия по поощрению и защите прав человека просила г-жу Франсуазу Хэмпсон подготовить рабочий документ по вопросу об оговорках к договорам о правах человека. Первый представленный рабочий документ (E/CN.4/Sub.2/1999/28 и Согл.1) определял вопросы, возникающие в связи с оговорками к договорам о правах человека. В резолюции 2001/17 Подкомиссия поручила г-же Хэмпсон задачу подготовки расширенного рабочего документа на основе ее рабочего документа и с учетом высказанных замечаний и обсуждений, имевших место на пятьдесят первой и пятьдесят второй сессиях Подкомиссии. В исследовании надлежит избегать дублирования работы Комиссии международного права.

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\* В соответствии с пунктом 8 резолюции 53/208В Генеральной Ассамблеи этот документ представляется с опозданием, с тем чтобы включить максимально возможную обновленную информацию.

2. В качестве первого шага были подготовлены сводные данные в табличном формате<sup>1</sup> по шести договорам Организации Объединенных Наций о правах человека, где указывается, какие государства сделали оговорки или заявления о толковании, относятся ли оговорки к нормативным или процедурным положениям, имелись ли возражения со стороны каких-либо других государств и если имелись, то были ли они сделаны на том основании, что оговорка/заявление о толковании несовместимы с объектом и целью договора. Упомянутые таблицы содержатся в приложении (таблицы не переводятся на другие языки).

3. Было также проведено изучение состоявшихся в договорных органах обсуждений, в частности в контексте рассмотрения докладов государств и, в соответствующих случаях, в контексте индивидуальных жалоб. Некоторые, но не все, договорные органы обсуждают с представителями государства возможность снятия или сужения сферы охвата оговорок.

4. Результаты исследования будут представлены Подкомиссии на ее следующей сессии.

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<sup>1</sup> Мне хотелось бы выразить благодарность следующим лицам за их помощь в исследовательской работе, проводившейся под руководством Басака Кали: Адлан Джамил Адду, Мехвес Бинголлу, Филип Дэйл, Сильвия Меркольяно, Вероника Котек, г-жа Элизабет Оньянго, г-жа Франсес Шихан.

**Таблицы оговорок к договорам Организации Объединенных Наций  
о правах человека**

1. Международный пакт об экономических, социальных и культурных правах
2.
  - a) Международный пакт о гражданских и политических правах
  - b) Первый Факультативный протокол к Международному пакту о гражданских и политических правах
3. Международная конвенция о ликвидации всех форм расовой дискриминации
4. Конвенция о ликвидации всех форм дискриминации в отношении женщин
5. Конвенция против пыток и других жестоких, бесчеловечных или унижающих достоинство видов обращения и наказания
6. Конвенция о правах ребенка

### Reservation Charts

The Reservation Charts aim to map the reservations to major international human rights treaties. The Charts are updated until **February 2002** and the overall data is taken from the United Nations High Commissioner on Human Rights website.

**Form column** refers to the way in which the States have put reservations (i.e. reservation, declaration, understanding, or interpretative declaration).

**Type column** refers to the nature of the reservation and aims to indicate whether the reservation is normative or procedural. Reservations which aim to modify the normativity of the articles or the treaty as a whole are marked **N**. Reservations which modify the effect of the article or the treaty procedurally are marked **P**. In many cases whether the reservation modifies the reservation normatively or procedurally can be debatable in accordance with the ways in which the object and purpose of the treaty or the article is understood.

**Substance column** briefly summarises the content of the reservation.

**Objection column** indicates the number of states that have objected to the reservation.

**Ground column** explains the reasons for which the States have objected to reservations.

**Against OP** refers to the objections which are formulated as 'against the object and the purpose of the treaty'.

**1. Reservations to International Covenant on Economic Social and Cultural Rights**  
**Updated until 02/2002**

| ARTICLE                                    | STATE      | FORM        | TYPE | SUBSTANCE                                                         | OBJECTION                                             | GROUND                                                                  |
|--------------------------------------------|------------|-------------|------|-------------------------------------------------------------------|-------------------------------------------------------|-------------------------------------------------------------------------|
| <b>Article 1<br/>Self Determination</b>    | Algeria    | Declaration | N    | Incompatible with UN Charter                                      | Germany<br>Portugal                                   | Only understanding<br>Against OP                                        |
|                                            | Guinea     | Declaration | N    | Incompatible with UN Charter                                      |                                                       |                                                                         |
|                                            | Romania    | Reservation | N    | Only under foreign domination                                     |                                                       |                                                                         |
|                                            | India      | Declaration | N    | Only under foreign domination                                     | France<br>Germany<br>Netherlands                      | It is a reservation and<br>weakens the right to self-<br>determination. |
|                                            | Bangladesh | Declaration | N    | Only under foreign domination                                     | France<br>Sweden<br>Germany<br>Netherlands            | It is a reservation and<br>weakens the right to self-<br>determination. |
|                                            | UK         | Declaration | N    | In times of conflict UN<br>Charter prevails                       |                                                       |                                                                         |
|                                            | France     | Declaration | N    | In times of conflict UN<br>Charter prevails                       |                                                       |                                                                         |
|                                            | Thailand   | Declaration | N    | Vienna Declaration and<br>Programme of Action<br>definition valid |                                                       |                                                                         |
| <b>Article 2(2) Non<br/>Discrimination</b> | Bangladesh | Declaration | N    | Equality of men and women is<br>subject to Constit.               | Germany<br>France<br>Netherlands<br>Sweden<br>Finland | It is a reservation and is<br>against OP<br><br>It is a reservation     |
|                                            | France     | Declaration | N    | In times of conflict UN<br>Charter prevails                       |                                                       |                                                                         |
|                                            | UK         | Declaration | N    | In times of conflict UN<br>Charter prevails                       |                                                       |                                                                         |
|                                            | Belgium    | Declaration | N    | Not applicable to foreigners                                      |                                                       |                                                                         |
|                                            | Monaco     | Declaration | N    | Not applicable to foreigners                                      |                                                       |                                                                         |
|                                            | Ireland    | Reservation | N    | For certain occupations Irish<br>language is compulsory           |                                                       |                                                                         |
|                                            | Kuwait     | Declaration | N    | Subject to Kuwaiti Law                                            | Germany                                               | It is a reservation and is                                              |

|                                                              |            |             |   |                                                                        |  |  |                                                       |                                       |
|--------------------------------------------------------------|------------|-------------|---|------------------------------------------------------------------------|--|--|-------------------------------------------------------|---------------------------------------|
|                                                              |            |             |   |                                                                        |  |  | Italy<br>Finland<br>Norway<br>Sweden                  | against the OP                        |
| <b>Article 2(3)<br/>Developing Countries</b>                 | Belgium    | Declaration | N | Fair compensation is non-derogable                                     |  |  |                                                       |                                       |
|                                                              | UK         | Declaration | N | The list of territories are the developing countries                   |  |  |                                                       |                                       |
| <b>Article 3<br/>Equality of men and women</b>               | Bangladesh | Declaration | N | Equality of men and women are subject to Constit.                      |  |  | Germany<br>France<br>Netherlands<br>Finland<br>Sweden | It is a reservation and is against OP |
|                                                              | Kuwait     | Declaration | N | Subject to Kuwaiti law                                                 |  |  | Germany<br>Italy<br>Finland<br>Norway<br>Netherlands  | It is a reservation and is against OP |
| <b>Article 4<br/>Limitation on rights under domestic law</b> | India      | Declaration | N | Will be applied in conformity with Constit.                            |  |  |                                                       |                                       |
| <b>Article 6<br/>Right to work</b>                           | France     | Declaration | N | Not applicable to access of aliens to employment                       |  |  |                                                       |                                       |
|                                                              | Monaco     | Declaration | N | Not applicable to access of aliens to employment                       |  |  |                                                       |                                       |
|                                                              | UK         | Reservation | N | Not precluding the impositions of restrictions based on place of birth |  |  |                                                       |                                       |
| <b>Article 7<br/>Conditions of work</b>                      | Bangladesh | Declaration | N | Will be applied in accordance with the Constit.                        |  |  | Germany<br>France<br>Netherlands<br>Finland<br>Sweden | It is a reservation and is against OP |
| <b>7(a) Remuneration</b>                                     | Barbados   | Reservation | N | Postpones the application of                                           |  |  |                                                       |                                       |

|                               |             |  |             |   |  |                                                        |                                                       |                                                               |  |
|-------------------------------|-------------|--|-------------|---|--|--------------------------------------------------------|-------------------------------------------------------|---------------------------------------------------------------|--|
|                               |             |  |             |   |  | equal pay for equal work                               |                                                       |                                                               |  |
|                               | UK          |  | Reservation | N |  | Postpones the application for equal pay for equal work |                                                       |                                                               |  |
| <b>7(c) Promotion</b>         | India       |  | Declaration | N |  | Will be applied in accordance with Constit.            |                                                       |                                                               |  |
| <b>7(d) Holidays</b>          | Denmark     |  | Reservation | N |  | Cannot comply at present                               |                                                       |                                                               |  |
|                               | Japan       |  | Reservation | N |  | Not bound by remuneration for public holidays          |                                                       |                                                               |  |
|                               | Sweden      |  | Reservation | N |  | Not bound by remuneration for public holidays          |                                                       |                                                               |  |
| <b>Article 8 Trade Unions</b> | Algeria     |  | Declaration | N |  | Will apply in accordance with domestic law             | Germany<br>Portugal                                   | Merely understanding<br>It is a reservation and is against OP |  |
|                               | Bangladesh  |  | Declaration | N |  | Will apply in accordance with Constit.                 | Germany<br>France<br>Netherlands<br>Finland<br>Sweden | It is a reservation and is against OP                         |  |
|                               | China       |  | Declaration | N |  | Application consistent with national law               |                                                       |                                                               |  |
|                               | Mexico      |  | Declaration | N |  | Will apply in accordance with Constit.                 |                                                       |                                                               |  |
|                               | India       |  | Declaration | N |  | Will apply in accordance with Constit.                 |                                                       |                                                               |  |
|                               | Monaco      |  | Declaration | N |  | Will apply in accordance with Constit.                 |                                                       |                                                               |  |
|                               | France      |  | Declaration | N |  | Right to strike in accordance with ESC                 |                                                       |                                                               |  |
|                               | New Zealand |  | Reservation | N |  | Not compatible with national law                       |                                                       |                                                               |  |
| <b>8(1)b Federations</b>      | UK          |  | Reservation | N |  | Does not apply in Hong Kong                            |                                                       |                                                               |  |
| <b>8(1)d Right to Strike</b>  | Japan       |  | Reservation | N |  | Not bound when in contradiction with domestic law      |                                                       |                                                               |  |
|                               | Norway      |  | Reservation | N |  | Will apply in accordance with                          |                                                       |                                                               |  |

|                              |                     |             |  |   |  |                                                                                         |                                           |                                       |  |
|------------------------------|---------------------|-------------|--|---|--|-----------------------------------------------------------------------------------------|-------------------------------------------|---------------------------------------|--|
|                              |                     |             |  |   |  | domestic law                                                                            |                                           |                                       |  |
|                              | Netherlands         | Reservation |  | N |  | Does not apply in Antilles                                                              |                                           |                                       |  |
|                              | Trinidad and Tobago | Reservation |  | N |  | Reserve the right to impose restrictions                                                |                                           |                                       |  |
|                              | Kuwait              | Reservation |  | N |  | Not bound by this article                                                               | Germany<br>Italy<br>Netherlands<br>Norway | It is a reservation and is against OP |  |
| 8(2)<br>Restrictions         | Monaco              | Declaration |  | N |  | Restrictions include public enterprises                                                 |                                           |                                       |  |
|                              | Japan               | Declaration |  | N |  | Police includes fire service personnel                                                  |                                           |                                       |  |
|                              | Trinidad and Tobago | Reservation |  | N |  | Reserve the right to impose restrictions                                                |                                           |                                       |  |
| Article 9<br>Social Security | France              | Declaration |  | N |  | Does not apply to access of aliens to employment                                        |                                           |                                       |  |
|                              | Monaco              | Declaration |  | N |  | Does not apply to access of aliens to employment                                        |                                           |                                       |  |
|                              | UK                  | Reservation |  | N |  | Application will be postponed in Cayman and Falklands                                   |                                           |                                       |  |
|                              | Kuwait              | Declaration |  | N |  | Applies only to Kuwaiti citizens                                                        |                                           |                                       |  |
| Article 10<br>Family         | Bangladesh          | Declaration |  | N |  | Progressive implementation                                                              |                                           |                                       |  |
|                              | UK                  | Reservation |  | N |  | Application will be postponed in Salomon                                                |                                           |                                       |  |
|                              | UK                  | Reservation |  | N |  | Will postpone maternity paid leave in Bermuda and Falklands                             |                                           |                                       |  |
|                              | New Zealand         | Reservation |  | N |  | Will postpone paid maternity leave                                                      |                                           |                                       |  |
|                              | Barbados            | Reservation |  | N |  | Will postpone application of special protection of mothers during and after child birth |                                           |                                       |  |
|                              | Kenya               | Declaration |  | N |  | Present circumstances do not                                                            |                                           |                                       |  |

|                                                             |            |             |  |   |                                                                                   |                         |                                       |  |
|-------------------------------------------------------------|------------|-------------|--|---|-----------------------------------------------------------------------------------|-------------------------|---------------------------------------|--|
|                                                             |            |             |  |   | render necessary the imposition by law                                            |                         |                                       |  |
| <b>Article 11<br/>Adequate Standard of Living</b>           | France     | Declaration |  | N | Does not apply to access of aliens to employment                                  |                         |                                       |  |
|                                                             | Monaco     | Declaration |  | N | Does not apply to access of aliens to employment                                  |                         |                                       |  |
| <b>Article 13<br/>Right to Education</b>                    | Bangladesh | Declaration |  | N | Progressive implementation                                                        | Germany<br>Finland      | Against OP                            |  |
|                                                             | France     | Declaration |  | N | Does not apply to access of aliens to employment                                  |                         |                                       |  |
|                                                             | Monaco     | Declaration |  | N | Does not apply to access of aliens to employment                                  |                         |                                       |  |
|                                                             | Malta      | Declaration |  | N | Religious education is difficult to apply to any group other than Roman Catholics |                         |                                       |  |
|                                                             | Rwanda     | Reservation |  | N | Will only apply in accordance with the Constit.                                   |                         |                                       |  |
| <b>13(2) (a)<br/>Primary education</b>                      | Barbados   | Reservation |  | N | Will postpone the application                                                     |                         |                                       |  |
|                                                             | Madagascar | Reservation |  | N | Will postpone the application                                                     |                         |                                       |  |
|                                                             | Ireland    | Reservation |  | N | Reserves the right to education at home                                           |                         |                                       |  |
|                                                             | UK         | Reservation |  | N | Will postpone application in Gilbert, Salomon and Tuvalu                          |                         |                                       |  |
|                                                             | Zambia     | Reservation |  | N | Will postpone the application                                                     |                         |                                       |  |
| <b>13(2)(b)(c )<br/>2<sup>nd</sup> and higher education</b> | Japan      | Reservation |  | N | Not bound by 'introduction to free education'                                     |                         |                                       |  |
| <b>Article 13(3)/(4)<br/>Liberty of parents</b>             | Algeria    | Reservation |  | N | Not a limitation on government's right to organise the education system freely    | Portugal<br>Netherlands | It is a reservation and is against OP |  |
| <b>Article 14<br/>Plan of action for primary education</b>  | UK         | Reservation |  | N | Will be postponed in Gilbert, Salomon and Tuvalu                                  |                         |                                       |  |
|                                                             | Algeria    | Declaration |  | N | Incompatible with UN Charter                                                      | Portugal,               | It is a reservation and is against OP |  |

|                                                      |                                                                                                            |             |   |                                                |         |  |                          |
|------------------------------------------------------|------------------------------------------------------------------------------------------------------------|-------------|---|------------------------------------------------|---------|--|--------------------------|
|                                                      |                                                                                                            |             |   |                                                |         |  | This is an understanding |
|                                                      |                                                                                                            |             |   |                                                |         |  |                          |
|                                                      |                                                                                                            |             |   |                                                |         |  |                          |
| <b>Article 26<br/>Signature and<br/>Ratification</b> | Guinea                                                                                                     | Declaration | N | Incompatible with UN Charter                   | Germany |  |                          |
|                                                      | Romania                                                                                                    | Reservation | N | Incompatible with UN Charter                   |         |  |                          |
|                                                      | Afghanistan,<br>Bulgaria, Guinea,<br>Hungary, Mongolia,<br>Russia, Romania,<br>Syria, Ukraine, Viet<br>Nam | Declaration | P | Should be open to all<br>states/discriminatory |         |  |                          |
|                                                      | Egypt                                                                                                      | Declaration | N | Sharia is compatible with<br>ICESCR            |         |  |                          |
|                                                      |                                                                                                            |             |   |                                                |         |  |                          |
|                                                      |                                                                                                            |             |   |                                                |         |  |                          |
| <b>General</b>                                       |                                                                                                            |             |   |                                                |         |  |                          |

## 2. a) Reservations to the International Covenant on Civil and Political Rights Updated until 02/2002

| ARTICLE   | STATE           | FORM                 | TYPE | SUBSTANCE                                                                                                                                | OBJECTION | GROUND                                                                       |
|-----------|-----------------|----------------------|------|------------------------------------------------------------------------------------------------------------------------------------------|-----------|------------------------------------------------------------------------------|
| Article 1 | Romania         | Reservation          | N    | 1(3) dependence of some territories is inconsistent with self determination.                                                             |           |                                                                              |
|           | India           | Declaration          | N    | Self determination only to people under foreign domination.                                                                              | France    | Conditions not provided by the UN Charter. Not obstacle to entry into force. |
|           | Thailand        | Interpr. Declaration | N    | 1(1) "self-determination" interpreted as being compatible with that expressed in the Vienna Declaration and Programme of Action ( 1993). |           |                                                                              |
|           | UK of GB and NI | Declaration          | N    | Art. 103 UN Charter shall prevail in the                                                                                                 |           |                                                                              |

|           |           |                      |   |  |                                                                                                                            |             |                                                                                                                            |
|-----------|-----------|----------------------|---|--|----------------------------------------------------------------------------------------------------------------------------|-------------|----------------------------------------------------------------------------------------------------------------------------|
| Article 2 | Belgium   | Reservation          | N |  | event of contrast with obligation under art. 1.                                                                            |             |                                                                                                                            |
|           | Australia | Reservation          | N |  | See art. 3<br>2(2)+2(3) effect<br>consistent with and<br>subject to art. 2(2).<br><i>Withdrawn on<br/>6.11.1984</i>        | Netherlands | Consistent with and<br>subject to art. 2(2)<br>and not impairing<br>obligations under<br>2(1).                             |
|           | Austria   | Reservation          | N |  | See art. 19                                                                                                                |             |                                                                                                                            |
|           | Germany   | Reservation          | N |  | See art. 19                                                                                                                |             |                                                                                                                            |
|           | Kuwait    | Interpr. declaration | N |  | 2(1) subject to<br>national law (existing)                                                                                 | Finland     | It is a reservation<br>and casts doubts as<br>to the commitment<br>of Kuwait to the<br>object and purpose<br>of the CCPR.  |
|           |           |                      |   |  |                                                                                                                            | Sweden      | casts doubts as to<br>the commitment of<br>Kuwait to the object<br>and purpose of the<br>CCPR.                             |
|           | Monaco    | Reservation          | N |  | 2(1)+(2) subject to<br>national law for<br>Crown<br>See also under art. 26                                                 |             |                                                                                                                            |
|           | USA       | Understanding        | N |  | Subject to national<br>law (existing)<br>(distinctions rationally<br>related to a legitimate<br>governmental<br>objective) | Finland     | It is a reservation<br>and is contrary to<br>the object and<br>purpose of the<br>CCPR. No obstacle<br>to entry into force. |
|           |           |                      |   |  |                                                                                                                            | Sweden      | It is a reservation<br>and casts doubts on<br>the commitment for<br>the State to the                                       |

|                  |  |                     |                      |   |  |                                                                                                                |                                                                                                                    |
|------------------|--|---------------------|----------------------|---|--|----------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
|                  |  |                     |                      |   |  |                                                                                                                | object and purpose of the CCPR. Therefore inadmissible, but not obstacle to entry into force.                      |
| <b>Article 3</b> |  | Belgium             | Reservation          | N |  | Subject to national law (Royal powers only by males)                                                           |                                                                                                                    |
|                  |  | Kuwait              | Interpr. Declaration | N |  | Subject to national law (existing)                                                                             | Finland<br>It is a reservation, it is inadmissible, but not obstacle to entry into force.                          |
|                  |  |                     |                      |   |  |                                                                                                                | Sweden<br>casts doubts as to the commitment of Kuwait to the object and purpose of the CCPR.                       |
|                  |  | Liechtenstein       | Reservation          | N |  | Subject to national law (hereditary succession to the throne).                                                 |                                                                                                                    |
|                  |  | Monaco              | Reservation          | N |  | Subject to national Law (see art. 2)                                                                           |                                                                                                                    |
| <b>Article 4</b> |  | France              | Reservation          | N |  | 4(1) national law already meets the standard.                                                                  |                                                                                                                    |
|                  |  | Trinidad and Tobago | Reservation          | N |  | 4(2) subject to Constitution                                                                                   | F.R. Germany, Netherlands<br>Incompatible with object and purpose of CCPR.                                         |
|                  |  | USA                 | Understanding        | N |  | 4(1) "do not bar distinctions that may have a disproportionate effect upon persons of a particular status" but | Finland<br>It is a reservation and is contrary to object and purpose of CCPR, but no obstacle to entry into force. |

|                  |          |             |     |  |                                                        |                                                                       |                                                                                                                                                                                                 |
|------------------|----------|-------------|-----|--|--------------------------------------------------------|-----------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                  |          |             |     |  | only those based<br>"solely" on the listed<br>grounds. | Sweden                                                                | It is a reservation<br>and casts doubts on<br>the commitment of<br>the State to the<br>object and purpose<br>of CCPR.<br>Therefore<br>inadmissible, but<br>not obstacle to entry<br>into force. |
| <b>Article 6</b> | Thailand | Declaration | P/N |  | Subject to national<br>law (existing)                  | Netherlands                                                           | It is a reservation<br>and is incompatible<br>with object and<br>purpose of art. 6.<br>No obstacle to entry<br>into force.                                                                      |
|                  | USA      | Reservation | N   |  | 6(5) subject to<br>national law (existing)             | Belgium, Germany<br>Italy, Netherlands,<br>Norway, Portugal,<br>Spain | Incompatible with<br>provisions and<br>intent of art. 6 and<br>4(2). No obstacle to<br>entry into force.                                                                                        |
|                  |          |             |     |  |                                                        | Denmark, Finland,<br>France, F.R., Spain                              | Incompatible with<br>object and purpose<br>of CCPR, but no<br>obstacle to entry<br>into force.<br>Also art. 4(2)<br>(Finland, Germany)                                                          |
|                  |          |             |     |  |                                                        | Sweden                                                                | Casts doubts on the<br>commitment of Usa<br>to the object and<br>purpose of CCPR.<br>Therefore                                                                                                  |

|           |          |             |   |  |                         |                                                                        |                                                                                                                                                                           |
|-----------|----------|-------------|---|--|-------------------------|------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Article 7 | Botswana |             |   |  |                         |                                                                        | inadmissible, but no obstacle to entry into force.                                                                                                                        |
|           |          | Reservation | N |  | Subject to Constitution | Denmark, France, Ireland, Netherlands, Norway, Portugal, Spain, Sweden | Object and purpose                                                                                                                                                        |
|           | USA      | Reservation | N |  | Subject to Constitution | Denmark, Netherlands, Norway, Spain, Finland                           |                                                                                                                                                                           |
|           |          |             |   |  |                         |                                                                        | National law may not be invoked as a justification for the failure to perform an international obligation.                                                                |
|           |          |             |   |  |                         | F.R. Germany, Italy                                                    | Interprets it as a reference to art. 2 and therefore not affecting Usa obligations under CCPR.                                                                            |
|           |          |             |   |  |                         | Portugal                                                               | Invoking national law not to fulfil an international obligation casts doubts as to the commitment of the State tow. CCPR and mines PIL. Not obstacle to entry into force. |
|           |          |             |   |  |                         | Sweden                                                                 | Casts doubts as to the commitment of the State to object                                                                                                                  |

|                  |          |  |                      |     |  |  |                                                                                                                 |                                                                                      |
|------------------|----------|--|----------------------|-----|--|--|-----------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
|                  |          |  |                      |     |  |  |                                                                                                                 | and purpose of CCPR. Therefore inadmissible, but no obstacle to entry into force.    |
| <b>Article 8</b> | Kuwait   |  |                      |     |  |  | Norway                                                                                                          | "problematic" with object and purpose of CCPR but no obstacle to entry into force.   |
| <b>Article 9</b> | Austria  |  | Reservation          | N/P |  |  | Deprivation of liberty pursuant to national law (existing).                                                     |                                                                                      |
|                  | France   |  | Reservation          | P/N |  |  | Subject to national law (disciplinary regime in the army)                                                       |                                                                                      |
|                  | Italy    |  | Statement            | N   |  |  | "unlawful arrest or detention" interpreted in the light of 9(1).                                                |                                                                                      |
|                  | India    |  | Reservation          | N   |  |  | Subject to Constitution                                                                                         |                                                                                      |
|                  | Kuwait   |  |                      |     |  |  | Will be applied in accordance with national law                                                                 | "problematic" with object and purpose of he CCPR but no obstacle to entry into force |
|                  | Mexico   |  | Interpr. Statement   | P/N |  |  | 9(9) already in national law.                                                                                   |                                                                                      |
|                  | Thailand |  | Interpr. Declaration | P/N |  |  | 9(3) time for bringing the arrested to court not considered + possibility of extension. (national law existing) |                                                                                      |
|                  | USA      |  | Understanding        | N   |  |  | 9(5) entitlement to compensation may be                                                                         |                                                                                      |

|            |           |             |     |                                                                                                                                                                                    |                                                 |             |                                                                                                                |
|------------|-----------|-------------|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|-------------|----------------------------------------------------------------------------------------------------------------|
| Article 10 | Australia | Reservation | N   | subject to national law                                                                                                                                                            | 10(2)(a) objective to be achieved progressively | Netherlands | Unable to evaluate the implications at the moment. Objections eventually at a later stage.<br>See <i>supra</i> |
|            |           | Reservation | N   | 10(2)(b) and (3) "beneficial" upon the judgement of the competent authorities. <i>Partially withdrawn on 6.11.1984</i>                                                             |                                                 | Netherlands |                                                                                                                |
|            | Austria   | Reservation | N   | 10(3) 2 <sup>nd</sup> sentence: national legislation (existing).                                                                                                                   |                                                 |             |                                                                                                                |
|            | Belgium   | Reservation | N   | 10(2)(a) standard minimum rules for the treatment of prisoners by c. Of Min. of CoE: untried prisoners not in contact with convicted ones "against their will", yes if so request. |                                                 |             |                                                                                                                |
|            |           | Reservation | P/N | 10(3) in compliance with national law for "minors" - flexible measures for other juvenile offenders.                                                                               |                                                 |             |                                                                                                                |
|            | Denmark   | Reservation | P/N | 10(3) 2 <sup>nd</sup> sentence: possibility of flexible arrangements                                                                                                               |                                                 |             |                                                                                                                |
|            | Finland   | Reservation | P/N | 10(2)+10 (3) possibility of flexible arrangements                                                                                                                                  |                                                 |             |                                                                                                                |
|            |           |             |     |                                                                                                                                                                                    |                                                 |             |                                                                                                                |

|                     |               |     |                                                                                                                                                                |  |  |
|---------------------|---------------|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| Iceland             | Reservation   | N   | 10(2)(b) no absolute obligation                                                                                                                                |  |  |
| Ireland             | Reservation   | P/N | To be achieved progressively                                                                                                                                   |  |  |
| Luxembourg          | Reservation   | N   | 10(3) subject to national law (existing).                                                                                                                      |  |  |
| Netherlands         | Reservation   | N   | 10(1) not bound                                                                                                                                                |  |  |
| New Zealand         | Reservation   | N   | 10(2)(b) + 10(3) not if there is shortage of facilities + discretion of national authorities                                                                   |  |  |
| Sweden              | Reservation   | N   | 10(3) reserves right not to apply with regard to segregation of juveniles from adults                                                                          |  |  |
| Switzerland         | Reservation   | N   | 10(2) not unconditionally guaranteed                                                                                                                           |  |  |
| Trinidad and Tobago | Reservation   | N   | 10(2)(b) + 10(3) no when there is lack of prison facilities                                                                                                    |  |  |
| UK of GB and NI     | Reservation   | N   | 10(2)(b) + 10 (3) lack of prison facilities + National discretion + geographical                                                                               |  |  |
| USA                 | Reservation   | N   | 10(2)(b)+10(3) subject to national law (discretion to treat juvenile as adults: it seems with reference to laws to be enacted and eventually already in force) |  |  |
|                     | Understanding | N   | 10(2)(a) "exceptional                                                                                                                                          |  |  |

|            |                     |             |  |   |  |                                                                                                    |         |                                                                        |                                                                                                              |
|------------|---------------------|-------------|--|---|--|----------------------------------------------------------------------------------------------------|---------|------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| Article 11 | Congo               | Reservation |  | N |  | circumstances" mean dangerousness or waiver of right = does not diminish the goals of the penalty. | Belgium |                                                                        | Unnecessary, because national legislation is not in contrast with CCPR. Asks for withdrawal, given art. 4(2) |
|            | UK of GB and NI     | Reservation |  | N |  | Geographical                                                                                       |         |                                                                        |                                                                                                              |
|            | Austria             | Reservation |  | N |  | 12(4) national law (existing)                                                                      |         |                                                                        |                                                                                                              |
| Article 12 | Botswana            | Reservation |  | N |  | 12 (3) subject to Constitution                                                                     |         | Denmark, France, Ireland, Netherlands, Portugal, Spain, Sweden, Norway | Against OP                                                                                                   |
|            | Belize              | Reservation |  | N |  | 12(2) tax clearance certificates                                                                   |         |                                                                        |                                                                                                              |
|            | Italy               | Reservation |  | N |  | 12(4) subject to Constitution (entry of some members of the House of Savoy)                        |         |                                                                        |                                                                                                              |
|            | Netherlands         | Reservation |  | N |  | 12(1)+12(2)+12(4) geographical                                                                     |         |                                                                        |                                                                                                              |
|            | Switzerland         | Reservation |  | N |  | 12(1) national law for aliens (existing)                                                           |         |                                                                        |                                                                                                              |
|            | Trinidad and Tobago | Reservation |  | N |  | Subject to national law. (existing) (tax clearance certificates)                                   |         |                                                                        |                                                                                                              |
|            | UK of GB and NI     | Reservation |  | N |  | 12(1) geographical                                                                                 |         |                                                                        |                                                                                                              |
|            |                     | Reservation |  | N |  | 12(4) subject to national law                                                                      |         |                                                                        |                                                                                                              |

|                   |                 |             |     |                                                                                                                         |  |  |
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| <b>Article 13</b> | France          | Reservation | N   | National legislation on entry of aliens (existing)                                                                      |  |  |
|                   | Iceland         | Reservation | N   | Subject to national law                                                                                                 |  |  |
|                   | Malta           | Reservation | N   | Cannot comply at present.                                                                                               |  |  |
|                   | Mexico          | Reservation | N   | Subject to Constitution                                                                                                 |  |  |
|                   | Monaco          | Reservation | N   | subject to national law for foreigners                                                                                  |  |  |
| <b>Article 14</b> | UK of GB and NI | Reservation | N   | Geographical restrictions                                                                                               |  |  |
|                   | Australia       | Reservation | P   | Administrative procedures for compensation <i>Partially withdrawn on 6.11.1984</i>                                      |  |  |
|                   | Austria         | Reservation | P/N | Deprivation of liberty: see art. 9                                                                                      |  |  |
|                   |                 | Reservation | N   | Publicity of trials: subject to national law                                                                            |  |  |
|                   |                 | Reservation | P/N | 14(3)(d) accused disturbing at trial is excluded.                                                                       |  |  |
|                   |                 | Reservation | P/N | 14(5) no right to review for acquittal reversed by higher court                                                         |  |  |
|                   |                 | Reservation | N   | 14(7) is not in conflict with national law allowing the reopening of a proceeding after a final acquittal or conviction |  |  |

|          |             |     |                                                                                                                                  |  |  |
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| Barbados | Reservation | P/N | 14(3)(d) free legal assistance; implementation cannot be guaranteed                                                              |  |  |
| Belgium  | Reservation | N   | 14(1) subject to national law is already in conformity.                                                                          |  |  |
|          | Reservation | N   | 14(5) no for persons convicted at second instance after acquittal at first instance or brought directly before a higher Tribunal |  |  |
| Belize   | Reservation | P/N | See Barbados                                                                                                                     |  |  |
|          | Reservation | P/N | 14(6) no compensation if difficulties in implementation                                                                          |  |  |
| Denmark  | Reservation | N   | 14(1) no binding as regards public hearings                                                                                      |  |  |
|          | Reservation | N   | 14(5)+14(7) not bound.                                                                                                           |  |  |
| Finland  | Reservation | P/N | 14(7): not for fraudulent activities or later discovered evidence                                                                |  |  |
|          | Reservation | N   | 14(1) national law existing at the time. <i>Partially withdrawn on 1985</i>                                                      |  |  |
| France   | Reservation | P/N | Subject to national law (see art. 9)                                                                                             |  |  |
|          | Reservation | N   | 14(5) limited exceptions.                                                                                                        |  |  |

|  |         |             |     |                                                                                                                                                                     |  |  |
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|  | Gambia  | Reservation | P/N | Free legal assistance only for capital offences                                                                                                                     |  |  |
|  | Germany | Reservation | P/N | 14(3)(d) upon decision by the national court                                                                                                                        |  |  |
|  |         | Reservation | N   | 14(5) first appeal does not have to be necessarily granted if first conviction was by appellate court + not for minor offences if not imprisonment by lower court). |  |  |
|  | Guyana  | Reservation | P/N | 14(3)(d) no guarantee for comprehensive legal aid scheme                                                                                                            |  |  |
|  |         | Reservation | P/N | 14(6) not possible to implement at the moment.                                                                                                                      |  |  |
|  | Ireland | Reservation | P   | 14(6) compensation by administrative procedure rather than "pursuant to specific legal provisions". <i>Withdrawn in 1994.</i>                                       |  |  |
|  |         | Reservation | N   | Minor offences against military law                                                                                                                                 |  |  |
|  | Iceland | Reservation | N   | 14(7) subject to national legislation                                                                                                                               |  |  |
|  | Italy   | Reservation | N   | 14(3) Is deemed to be already compatible with national legislation                                                                                                  |  |  |
|  |         | Reservation | N   | 14(5) subject to National legislation                                                                                                                               |  |  |

|  |               |             |  |     |  |                                                                                                     |                 |                                                                                                                               |  |
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|  |               |             |  |     |  | for certain proceedings                                                                             |                 |                                                                                                                               |  |
|  | Korea         | Reservation |  | N   |  | 14(5) subject to national law (legislation and constitution)<br><i>Partially withdrawn in 1993.</i> | Czechoslovakia  | Incompatible with object and purpose of CCPR + contrary to PIL (internal law is not a justification not to perform a treaty). |  |
|  |               |             |  |     |  |                                                                                                     | Netherlands     | Contrary to object and purpose of CCPR but not obstacle to entry into force.                                                  |  |
|  |               |             |  |     |  |                                                                                                     | UK of GB and NI | Not able to take a position at present.                                                                                       |  |
|  |               | Reservation |  | N   |  | 14(7) national law.<br><i>Withdrawn in 1993.</i>                                                    | Netherlands     | (1991) Contrary to object and purpose of CCPR but not obstacle to entry into force.                                           |  |
|  |               |             |  |     |  |                                                                                                     | UK of GB and NI | Not able to take a position at present.                                                                                       |  |
|  | Liechtenstein | Reservation |  | N   |  | Subject to national law (existing)                                                                  |                 |                                                                                                                               |  |
|  | Luxembourg    | Reservation |  | N   |  | 14(3)+14(5) subject to national law (existing).                                                     |                 |                                                                                                                               |  |
|  | Malta         | Reservation |  | N   |  | 14(2) subject to national law for burden of proof (existing)                                        |                 |                                                                                                                               |  |
|  |               | Reservation |  | P/N |  | 14(6) not possible to implement                                                                     |                 |                                                                                                                               |  |
|  | Monaco        | Reservation |  | N   |  | Subject to national law :limited                                                                    |                 |                                                                                                                               |  |

|  |             |             |     |                                                                                                                                                                                                                                                         |  |  |
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|  | Netherlands | Reservation | P/N | exceptions<br>14(3)(d) national law<br>(existing): accused<br>removed from Court<br>room in the interest of<br>the conduct of<br>proceeding                                                                                                             |  |  |
|  |             | Reservation | N   | 14(5) subject to<br>national law)                                                                                                                                                                                                                       |  |  |
|  |             | Reservation | N   | 14(7) subject to<br>national law                                                                                                                                                                                                                        |  |  |
|  | New Zealand | Reservation | N   | 14(6) subject to<br>national law                                                                                                                                                                                                                        |  |  |
|  | Norway      | Reservation | N   | 14(5)+14(7) national<br>legislation existing<br>(N.b. on 1995 they<br>declared to have<br>changed the criminal<br>procedure and that<br>that the previous<br>reservation should<br>have applied only to<br>some listed<br>exceptional<br>circumstances) |  |  |
|  | Sweden      | Reservation | N   | 14(7) reserves right<br>not to apply                                                                                                                                                                                                                    |  |  |
|  | Switzerland | Reservation | P/N | 14(1) subject to<br>national law +<br>interpretation of the<br>wording "fair trial"                                                                                                                                                                     |  |  |
|  |             | Reservation | P/N | 14(3) (d) + 14(3)(f)<br>the beneficiary of free<br>assistance of an<br>interpreter does not<br>exempt the                                                                                                                                               |  |  |

|  |                     |               |  |     |                                                                                                                                                               |  |  |  |
|--|---------------------|---------------|--|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|
|  |                     |               |  |     | beneficiary to pay the costs.                                                                                                                                 |  |  |  |
|  |                     | Reservation   |  | P/N | 14(5) subject to national law (existing)                                                                                                                      |  |  |  |
|  | Trinidad and Tobago | Reservation   |  | N   | 14(5) subject to National law (existing)                                                                                                                      |  |  |  |
|  |                     | Reservation   |  | P/N | 14(6) not possible to implement at the moment.                                                                                                                |  |  |  |
|  | UK of GB and NI     | Reservation   |  | P/N | 14(3)(d) difficulties in implementing due to shortage of practitioners in some territories                                                                    |  |  |  |
|  | USA                 | Reservation   |  | N   | 14(4) subject to national law (not clear, but eventually also to be enacted)                                                                                  |  |  |  |
|  |                     | Understanding |  | N   | 14(6) entitlement to compensation may be subject to the requirements of national law (eventually to be enacted).                                              |  |  |  |
|  |                     | Understanding |  | N   | 14(3)(b) and 14(3)(d) No counsel of his own choice if financially able to retain alternative counsel or imprisonment is not imposed + no right to choose him. |  |  |  |
|  | Venezuela           | Reservation   |  | N   | 14(3)(d) subject to Constitution                                                                                                                              |  |  |  |

|                   |                     |                    |     |                                                                                                                                                                                                                                          |        |                                                                                                                                                        |
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| <b>Article 15</b> | Argentina           | Understanding      | N   | 15 <sup>2nd</sup> part: subject to Constitution                                                                                                                                                                                          |        |                                                                                                                                                        |
|                   | Germany             | Reservation        | N   | Subject to national law(to be enacted).                                                                                                                                                                                                  |        |                                                                                                                                                        |
|                   | Italy               | Reservation        | P/N | 15(1) last sentence: not to final convictions                                                                                                                                                                                            |        |                                                                                                                                                        |
|                   | Trinidad and Tobago | Reservation        | P/N | 15(1) not to final convictions.<br><i>Communication on 31 January 1979,T and T. Confirmed that constituted an interpretative declaration which did not aim to exclude nor modify the legal effect of the provisions of the Covenant.</i> |        |                                                                                                                                                        |
|                   | USA                 | Reservation        | N   | 15(1) 3 <sup>rd</sup> sentence: subject to national law                                                                                                                                                                                  | Sweden | Cast doubts on the commitment of the State to the object and purpose of the Covenant.<br>Therefore, inadmissible but not obstacle to entry into force. |
| <b>Article 17</b> | Australia           | Reservation        | N   | No prejudice to national laws to be enacted. <i>Withdrawn on 6.11.1984.</i>                                                                                                                                                              |        |                                                                                                                                                        |
|                   | Liechtenstein       | Reservation        | N   | Subject to national law with regard to aliens                                                                                                                                                                                            |        |                                                                                                                                                        |
| <b>Article 18</b> | Mexico              | Interpr. Statement | N   | National law is                                                                                                                                                                                                                          |        |                                                                                                                                                        |

|            |                  |             |   |                                                                                                                                                                                                                                      |  |  |
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| Article 19 | Australia        | Reservation | N | already in compliance.<br>Consistent with art. 20. If already legislated on the matter according to the public order, no further legislative provision on matters covered by art. 19, 20, 21, 22).<br><i>Withdrawn on 6.11.1984.</i> |  |  |
|            | Austria, Germany | Reservation | N | art. 19, 21, 22 and 2 (1) applied provided that are not in conflict with restrictions under art. 16 ECHR).                                                                                                                           |  |  |
|            | France           | Declaration | N | in compliance with art. 10,11,16 ECHR.<br><i>Withdrawn on 22.03.1988.</i>                                                                                                                                                            |  |  |
|            | Ireland          | Reservation | N | 19(2) reserves the right to confer monopoly or require licenses.                                                                                                                                                                     |  |  |
|            | Italy            | Reservation | N | 19(3) subject to national law (existing)                                                                                                                                                                                             |  |  |
|            | India            | Reservation | N | 19(3) subject to Constitution                                                                                                                                                                                                        |  |  |
|            | Luxembourg       | Reservation | N | 19(2) no limit for requiring licenses for broadcasting (national law enacted and to be enacted).                                                                                                                                     |  |  |
|            | Malta            | Reservation | N | Subject to Constitution, existing                                                                                                                                                                                                    |  |  |

|            |               |             |  |     |                                                                                                                     |  |  |  |
|------------|---------------|-------------|--|-----|---------------------------------------------------------------------------------------------------------------------|--|--|--|
|            |               |             |  |     | law) and ECHR                                                                                                       |  |  |  |
|            | Monaco        | Reservation |  | N   | Subject of national law                                                                                             |  |  |  |
|            | Netherlands   | Reservation |  | N   | Subject to national law                                                                                             |  |  |  |
|            | USA           | Declaration |  | N   | 5(2) has particular relevance to 19(3).                                                                             |  |  |  |
| Article 20 | Australia     | Reservation |  | N   | No further legislation other than the existing one.                                                                 |  |  |  |
|            | Belgium       | Declaration |  | P/N | no obliged to enact legislation for art. 20 (1) + art. 20 must be read in context with 18,19,21,22 ICCPR and UDHR). |  |  |  |
|            | Denmark       | Reservation |  | N   | 20(1) freedom of expression.                                                                                        |  |  |  |
|            | Finland       | Reservation |  | N   | 20(1) in favour of propaganda                                                                                       |  |  |  |
|            | France        | Declaration |  | N   | "war" as in contravention of int.law + French legislation is adequate.                                              |  |  |  |
|            | Iceland       | Reservation |  | N   | 20(1):it limits freedom of expression                                                                               |  |  |  |
|            | Ireland       | Reservation |  | P/N | Enactment of national legislation postponed                                                                         |  |  |  |
|            | Liechtenstein | Reservation |  | N   | No further legislation. Eventually, legislation on accession to CERD. <i>Withdrawn on 28.4.2000.</i>                |  |  |  |
|            | Luxembourg    | Reservation |  | P/N | 20(1) no obligation to enact legislation.                                                                           |  |  |  |

|                   |                 |                      |     |                                                                                   |  |  |
|-------------------|-----------------|----------------------|-----|-----------------------------------------------------------------------------------|--|--|
|                   |                 | Reservation          | N   | Interpreted in the light of 19, 20, 21, 22 ICCPR and 18, 19, 20 UDHR.             |  |  |
|                   | Malta           | Reservation          | P/N | Interpreted in the light of 21 and 22 + right not to introduce legislation        |  |  |
|                   | Netherlands     | Reservation          | N   | 20(1) not bound                                                                   |  |  |
|                   | New Zealand     | Reservation          | P/N | No further legislation other than the national one existing.                      |  |  |
|                   | Sweden          | Reservation          | N   | 20(6):reserves the right not to apply the provision                               |  |  |
|                   | Switzerland     | Reservation          | N   | Right not to adopt further measures than the existing ones                        |  |  |
|                   | Thailand        | Interpr. Declaration | N   | Only war in contravention of int.law                                              |  |  |
|                   | UK of GB and NI | Reservation          | N   | Consistently with art. 19 and 21 + No further legislation + national law existing |  |  |
|                   | USA             | Reservation          | N   | Subject to Constitution: right of free speech                                     |  |  |
| <b>Article 21</b> | France          | Declaration          | N   | See art. 19                                                                       |  |  |
|                   | Austria         | Reservation          | N   | See art. 19                                                                       |  |  |
|                   | Germany         | Reservation          | N   | See art. 19                                                                       |  |  |
|                   | Monaco          | Reservation          | N   | Subject to national law (existing and to be enacted- grounds for restrictions)    |  |  |
|                   | Trinidad and    | Reservation          | N   | Right to impose                                                                   |  |  |

|                   |                   |             |  |     |  |                                                                                |                 |                                                                                    |
|-------------------|-------------------|-------------|--|-----|--|--------------------------------------------------------------------------------|-----------------|------------------------------------------------------------------------------------|
|                   | Tobago            |             |  |     |  |                                                                                |                 |                                                                                    |
| <b>Article 22</b> | France            | Declaration |  | N   |  | "lawful and or reasonable" restrictions                                        |                 |                                                                                    |
|                   | Austria           | Reservation |  | N   |  | See art. 19                                                                    |                 |                                                                                    |
|                   | Germany           | Reservation |  | N   |  | See art. 19                                                                    |                 |                                                                                    |
|                   | Malta             | Reservation |  | N   |  | Subject to national law (existing)                                             |                 |                                                                                    |
|                   | Monaco            | Reservation |  | N   |  | Subject to national law (existing and to be enacted – grounds for limitations) |                 |                                                                                    |
|                   | New Zealand       | Reservation |  | N   |  | Subject to national law (existing)                                             |                 |                                                                                    |
|                   | Republic of Korea | Reservation |  | N   |  | Subject to national law (statutes and Constitution)                            | Czechoslovakia  | same as under art. 14 par. 5 and 7.                                                |
|                   |                   |             |  |     |  |                                                                                | F.R. Germany    | interprets as not limiting the obligations undertaken by Korea.                    |
|                   |                   |             |  |     |  |                                                                                | Netherlands     | Incompatible with object and purpose of CCPR but not obstacle to entry into force. |
|                   |                   |             |  |     |  |                                                                                | UK of GB and NI | Not able to take a position at present.                                            |
| <b>Article 23</b> | Belgium           | Declaration |  | P/N |  | 23(2) the State can regulate the right                                         |                 |                                                                                    |
|                   | Ireland           | Reservation |  | N   |  | 23(4) no right to obtain dissolution of marriage.<br><i>Withdrawn in 1998.</i> |                 |                                                                                    |

|            |                 |             |   |                                                                                                |                 |                                                                                    |
|------------|-----------------|-------------|---|------------------------------------------------------------------------------------------------|-----------------|------------------------------------------------------------------------------------|
|            | Israel          | Reservation | N | matters of personal status are governed by the religion of the parties concerned               |                 |                                                                                    |
|            | Korea           | Reservation | N | 23(4) subject to national law (statutes and constitution). <i>Withdrawn in 1991.</i>           | UK of GB and NI | Not able to take a position at present.                                            |
|            | Kuwait          | Reservation | N | Subject to national law based on Islamic law                                                   | Finland         | Inadmissible, but no obstacle to entry into force                                  |
|            |                 |             |   |                                                                                                | Sweden          | casts doubts as to the commitment of Kuwait to the object and purpose of the CCPR. |
|            | UK of GB and NI | Reservation | N | 23(3) customary marriages in the Solomon Islands.                                              |                 |                                                                                    |
| Article 24 | Liechtenstein   | Reservation | N | 24(3) subject to National law for nationality (existing).                                      |                 |                                                                                    |
|            | UK of GB and NI | Reservation | N | 24(3) future national legislation.                                                             |                 |                                                                                    |
| Article 25 | Australia       | Reservation | N | 25(b) subject to national law for defining electoral divisions. <i>Withdrawn on 6.11.1984.</i> |                 |                                                                                    |
|            | Belgium         | Reservation | N | See art.3                                                                                      |                 |                                                                                    |
|            | Kuwait          | Reservation | N | Not applicable to police or armed forces                                                       |                 |                                                                                    |
|            |                 | Reservation | N | 25(b) national law shall prevail: no vote to women.                                            | Finland         | Recalls objection made to reservation by Kuwait to art.7 CEDAW.                    |

|            |                 |             |   |  |  |                                                                                                                |                                                                                            |
|------------|-----------------|-------------|---|--|--|----------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
|            |                 |             |   |  |  |                                                                                                                | General reservations undermine PIL, and are inadmissible. No obstacle to entry into force. |
|            |                 |             |   |  |  | Sweden                                                                                                         | Casts doubts as to the commitment of Kuwait to the object and purpose of the covenant.     |
|            | Mexico          | Reservation | N |  |  | 25(b) National law: ministers of religion do not vote.                                                         |                                                                                            |
|            | Monaco          | Reservation | N |  |  | National law + see art. 26.                                                                                    |                                                                                            |
|            | Netherlands     | Reservation | N |  |  | Geographical. <i>Withdrawn on 20.12.83.</i>                                                                    |                                                                                            |
|            | Switzerland     | Reservation | N |  |  | 25(b) subject to national law (existing)                                                                       |                                                                                            |
|            | UK of GB and NI | Reservation | N |  |  | 25(b)+25 (c) geographical. <i>25 (c) withdrawn on 1993.</i>                                                    |                                                                                            |
| Article 26 | Austria         | Reservation | N |  |  | Does not exclude a different treatment of Austrians and aliens, "as is also permissible under art. 1 (2) ICERD |                                                                                            |
|            | Liechtenstein   | Reservation | N |  |  | Equality only in connection with the rights under ICCPR                                                        |                                                                                            |
|            | Monaco          | Reservation | N |  |  | Art. 26 + 2(1) +25: Subject to national                                                                        |                                                                                            |

|            |                     |               |  |   |                                                                                                                                          |         |  |                                                                                                                                                                         |
|------------|---------------------|---------------|--|---|------------------------------------------------------------------------------------------------------------------------------------------|---------|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            |                     |               |  |   | Law (existing) permitting the difference of treatment between Monegasque and foreign nationals                                           |         |  |                                                                                                                                                                         |
|            | Switzerland         | Reservation   |  | N | Only in connection with other rights under CCPR.                                                                                         |         |  |                                                                                                                                                                         |
|            | Trinidad and Tobago | Reservation   |  | N | Subject to national law (existing): property held by aliens                                                                              | Finland |  | Contrary to the object and purpose of the CCPR, but no obstacle to entry into force.                                                                                    |
|            | USA                 | Understanding |  | N | Subject to national law (existing and eventually to be enacted): distinctions rationally related to a legitimate governmental objective. | Sweden  |  | It is a reservation and casts doubts on the commitment of the State to the object and purpose of CCPR. Therefore, is inadmissible but not obstacle to entry into force. |
|            |                     |               |  |   |                                                                                                                                          | Finland |  | It is a reservation and is contrary to the object and purpose of the CCPR.                                                                                              |
| Article 27 | France              | Declaration   |  | N | Not applicable: Contradicts with Constitution                                                                                            | Germany |  | Declaration on 23.4. 1982: interprets the French declaration as meaning that the Constitution of the French Republic already guarantees                                 |

|                   |                             |             |   |  |                                                                                                                                                       |             |                                                                                    |
|-------------------|-----------------------------|-------------|---|--|-------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|------------------------------------------------------------------------------------|
| <b>Article 47</b> | USA                         | Declaration | N |  |                                                                                                                                                       |             | these rights.                                                                      |
| <b>Article 48</b> | Guinea, Romania             | Reservation | N |  | Only in accordance with international law.<br>48(1) contrary to universality of international treaties and democratisation of international relations |             |                                                                                    |
|                   | Russian Federation, Ukraine | Declaration | N |  | 48(1) inconsistent with sovereign equality of States                                                                                                  |             |                                                                                    |
| <b>Article 50</b> | Australia                   | Reservation | N |  | subject and consistent with art. 2 (2).<br><i>Withdrawn on 6.11.1984</i>                                                                              | Netherlands | Consistent with and subject to art. 2(2) and not impairing obligations under 2(1). |

# GENERAL RESERVATIONS

| STATE           | FORM        | TYPE | SUBSTANCE                                                                                                                                                                                  |
|-----------------|-------------|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Australia       | Declaration | P/N  | Federal constitutional system with powers distributed between the Commonwealth and the constituent States. Implementation on the basis of their respective constitutional powers.          |
| China           | Statement   | P/N  | The signature by Taiwan authorities on 1967 is nul and void.                                                                                                                               |
| France          | Statement   | N    | Art. 103 UN Charter.                                                                                                                                                                       |
| UK of GB and NI | Reservation | N    | To members of and persons serving with the armed forces of the Crown and to persons lawfully detained in penal establishments of whatever character, specific laws in the public interest. |
|                 | Reservation | N    | Geographical: no CCPR in Southern                                                                                                                                                          |

|     |               |     |                                                                                                         |
|-----|---------------|-----|---------------------------------------------------------------------------------------------------------|
| USA | Understanding | P/N | Rhodesia.<br>Federal system and allocation of powers therein.<br>Art. 1-27 CCPR are not self executing. |
|     | Understanding | P/N |                                                                                                         |

**2. b) Reservations to the First Optional Protocol to the International Covenant on Civil and Political Rights**  
Updated until 02/2002

| ARTICLE                                                                                          | STATE       | FORM        | TYPE | SUBSTANCE                                                                                                                                       | OBJECTION | GROUND                                                                      |
|--------------------------------------------------------------------------------------------------|-------------|-------------|------|-------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-----------------------------------------------------------------------------|
| Article 1<br>Competence of the Human Rights Committee to receive communications from individuals | Chile       | Declaration | P    | Competence applies for situations, events, cases, omissions, acts, occurring or decisions being taken after the entry into force date for Chile |           |                                                                             |
|                                                                                                  | Croatia     | Declaration | P    | Competence after the entry into force date                                                                                                      |           |                                                                             |
|                                                                                                  | El Salvador | Reservation | P    | Competence after the entry into force date                                                                                                      |           |                                                                             |
|                                                                                                  | France      | Declaration | P    | Competence after the entry into force date                                                                                                      |           |                                                                             |
|                                                                                                  | Germany     | Reservation | P    | Competence after the entry into force date                                                                                                      |           |                                                                             |
|                                                                                                  | Guyana      | Declaration | N    | No competence of HRC for a prisoner under death sentence, related acts or decisions concerning                                                  | France    | Procedure followed is a breach of Article 12 and violation of the principle |

|  |                        |             |               |  |                                                                                                                                                                                                                                      |                                                                                              |                                                                                                                                                                                                                                                                                                                           |
|--|------------------------|-------------|---------------|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  |                        |             | death penalty |  |                                                                                                                                                                                                                                      | Germany<br><br>Netherlands<br>Spain<br>Finland<br>Sweden                                     | of good faith and<br>incompatible with the rule<br>of <i>pacta sunt servanda</i><br>Against OP/ procedure<br>followed is a breach of the<br>rules of the laws of treaties<br>that prohibit formulation<br>of reservations after<br>ratification<br>Against OP/ procedure is<br>in violation of the law of<br>the treaties |
|  | Malta                  | Declaration | P             |  | Competence after the entry into<br>force date                                                                                                                                                                                        |                                                                                              |                                                                                                                                                                                                                                                                                                                           |
|  | Russian<br>Federation  | Declaration | P             |  | Competence after the entry into<br>force date                                                                                                                                                                                        |                                                                                              |                                                                                                                                                                                                                                                                                                                           |
|  | Slovenia               | Declaration | P             |  | Competence after the entry into<br>force date                                                                                                                                                                                        |                                                                                              |                                                                                                                                                                                                                                                                                                                           |
|  | Sri Lanka              | Declaration | P             |  | Competence after the entry into<br>force date                                                                                                                                                                                        |                                                                                              |                                                                                                                                                                                                                                                                                                                           |
|  | Trinidad and<br>Tobago | Reservation | N             |  | No competence of HRC for a<br>prisoner under death sentence,<br>related to acts or decisions<br>concerning death penalty ( <b>Trinidad<br/>and Tobago denounced the<br/>Protocol on 27.03.2000 with effect<br/>from 27.06.2000</b> ) | Denmark<br>Norway<br>Netherlands<br>Germany<br>Sweden<br>Ireland<br>Spain<br>France<br>Italy | Against OP/ procedure is<br>in violation of the law of<br>the treaties                                                                                                                                                                                                                                                    |
|  | Venezuela              | Reservation | N             |  | HRC does not have competence for<br>communications made by offenders<br>who committed offences against res                                                                                                                           |                                                                                              |                                                                                                                                                                                                                                                                                                                           |

| Article 5(2) | Austria     | Reservation | P | publica and tried in absentia<br>Communications which have been<br>examined by the European<br>Commission on Human Rights<br>cannot be accepted |  |  |
|--------------|-------------|-------------|---|-------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
|              |             |             |   |                                                                                                                                                 |  |  |
|              | Croatia     | Declaration | P | No competence for matters which<br>have been examined under another<br>international procedure                                                  |  |  |
|              | Denmark     | Reservation | P | No competence for matters which<br>have been examined under another<br>international procedure                                                  |  |  |
|              | El Salvador | Reservation | P | No competence for matters which<br>have been examined under another<br>international procedure                                                  |  |  |
|              | France      | Declaration | P | No competence for matters which<br>have been examined under another<br>international procedure                                                  |  |  |
|              | Germany     | Reservation | P | No competence for matters which<br>have been examined under another<br>international procedure                                                  |  |  |
|              | Iceland     | Reservation | P | No competence for matters which<br>have been examined under another<br>international procedure                                                  |  |  |
|              | Ireland     | Reservation | P | No competence for matters which<br>have been examined under another<br>international procedure                                                  |  |  |
|              | Italy       | Reservation | P | No competence for matters which<br>have been examined under another<br>international procedure                                                  |  |  |
|              | Luxembourg  | Declaration | P | No competence for matters which<br>have been examined under another<br>international procedure                                                  |  |  |
|              | Malta       | Declaration | P | No competence for matters which                                                                                                                 |  |  |

|  |           |             |   |  |                                                                                          |  |  |  |
|--|-----------|-------------|---|--|------------------------------------------------------------------------------------------|--|--|--|
|  |           |             |   |  | have been examined under another international procedure                                 |  |  |  |
|  | Norway    | Reservation | P |  | No competence for matters which have been examined under another international procedure |  |  |  |
|  | Poland    | Reservation | P |  | No competence for matters which have been examined under another international procedure |  |  |  |
|  | Romania   | Declaration | P |  | No competence for matters which have been examined under another international procedure |  |  |  |
|  | Slovenia  | Declaration | P |  | No competence for matters which have been examined under another international procedure |  |  |  |
|  | Spain     | Reservation | P |  | No competence for matters which have been examined under another international procedure |  |  |  |
|  | Sri Lanka | Declaration | P |  | No competence for matters which have been examined under another international procedure |  |  |  |
|  | Uganda    | Reservation | P |  | No competence for matters which have been examined under another international procedure |  |  |  |

**3. Reservations to the Convention Against Torture  
Updated until 02/2002**

| ARTICLE                                                                             | STATE       | FORM                          | TYPE | SUBSTANCE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | OBEJECTIONS                 | GROUND                                                                                                                                        |
|-------------------------------------------------------------------------------------|-------------|-------------------------------|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| Article 1-<br>Definition of<br>Torture                                              | Botswana    | Reservation                   | N    | Definition of torture as in Constitution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Denmark<br>Norway<br>Sweden | Against OP                                                                                                                                    |
|                                                                                     | Luxembourg  | Interpretative<br>Declaration | N    | "lawful sanctions" excluded from<br>torture definition, taken to mean those<br>accepted in national and international<br>law                                                                                                                                                                                                                                                                                                                                                                                                                            |                             |                                                                                                                                               |
|                                                                                     | Netherlands | Interpretative<br>Declaration | N    | "lawful sanctions" must include those<br>lawful in both national <i>and</i><br>international law                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                             |                                                                                                                                               |
|                                                                                     | USA         | Understand-<br>ings           | N    | 1. Mental pain as meaning prolonged<br>mental harm due to intentional or<br>threatened infliction of severe pain,<br>suffering or death or of administering<br>mind altering substances.<br>2. Has to be acts while in the offenders<br>custody or physical control.<br>3. Sanctions: judicially imposed<br>sanctions or enforced by US law<br>within object and purpose of<br>Convention, yet non-compliance with<br>legal procedures is not torture per se.<br>'acquiescence': public official has to<br>be aware of torture before it takes<br>place | Netherlands                 | Restricts scope of<br>torture definition /<br>diminishes continuous<br>responsibility of public<br>officials for behaviour<br>of subordinates |
| Article 2 -non-<br>derogation,<br>order from<br>public official<br>no justification | Cuba        | Declaration                   | N    | "deplores" inclusion of art 2(1) in<br>CAT after adoption of GA Res. 1514                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                             |                                                                                                                                               |

|                                              |                |               |   |                                                                                                                                                           |                                                                |                                                                                                  |
|----------------------------------------------|----------------|---------------|---|-----------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| <i>Article 3-non-refoulement</i>             | <b>Germany</b> | Declaration   | N | Domestic law in Germany in conformity of the provisions                                                                                                   |                                                                |                                                                                                  |
|                                              | <i>USA</i>     | Understanding | N | "substantial grounds for believing" that he would be "in danger of being tortured" interpreted as "it is more likely than not that he would be tortured." | Germany                                                        | Obligation from CAT not touched by understanding                                                 |
| <b>Article 5 – establishing jurisdiction</b> | Austria        | Declaration   | P | Establishing Jurisdiction only where other jurisdictions not able to comply                                                                               |                                                                |                                                                                                  |
| <b>Article 14- compensation</b>              | Bangladesh     | Declaration   | N | Application in consonance with domestic law                                                                                                               | Finland<br>France<br>Germany<br>Netherlands<br>Spain<br>Sweden | Against OP / invoking national law is not a justification / content of declaration not specified |
|                                              | New Zealand    | Reservation   | N | Right to compensation to victims at discretion of Attorney General of New Zealand.                                                                        |                                                                |                                                                                                  |

|                                                                      | USA                                                  | Understanding | N | Provision of private action for damages is the responsibility of State Party within whose jurisdiction the torture took place.           | Germany                                          | Obligation of CAT not touched by understanding                                           |
|----------------------------------------------------------------------|------------------------------------------------------|---------------|---|------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|------------------------------------------------------------------------------------------|
| <b>Article 15- inadmissibility of statements obtained by torture</b> | Austria                                              | Declaration   | P | Legal basis of inadmissibility of statements resulting from torture                                                                      |                                                  |                                                                                          |
| <b>Article 16 Prevention of torture</b>                              | USA                                                  | Reservation   | N | "cruel, inhuman or degrading treatment or punishment" interpreted along domestic definition of "cruel, inhumane treatment or punishment" | Germany<br><br>Finland,<br>Netherlands<br>Sweden | Obligation from CAT not touched by reservation<br><br>Against OP / content not specified |
| <b>Article 20 Systematic torture</b>                                 | Afghanistan                                          | Declaration   | P | Does not recognise authority of Committee                                                                                                |                                                  |                                                                                          |
|                                                                      | Belarus<br>China<br>Israel<br>Kuwait<br>Saudi Arabia | Reservation   | P | Does not recognise competence of Committee                                                                                               |                                                  |                                                                                          |
|                                                                      | Cuba                                                 | Declaration   | P | Strict compliance with consent when applying para. 1-3                                                                                   |                                                  |                                                                                          |
|                                                                      | Indonesia                                            | Declaration   | P | Para 1,2 and 3 to be implemented with strict compliance with the principles of sovereignty and territorial integrity of states           |                                                  |                                                                                          |
|                                                                      | Morocco                                              | Declaration   | P | Does not recognise competence of Committee / not bound by para 1.                                                                        |                                                  |                                                                                          |
|                                                                      | Poland                                               | Reservation   | P | Not bound                                                                                                                                |                                                  |                                                                                          |

|                                                             |                                                                                                             |                      |          |                                                                                                                                        |           |                                                                                                    |
|-------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|----------------------|----------|----------------------------------------------------------------------------------------------------------------------------------------|-----------|----------------------------------------------------------------------------------------------------|
| <b>Article 21<br/>Inter-State<br/>complaint</b>             | <b>Qatar</b>                                                                                                | <b>Reservation</b>   | <b>N</b> | <b>General reservation on competence of<br/>Committee</b>                                                                              |           |                                                                                                    |
| <b>Article 22<br/>Communications<br/>by<br/>individuals</b> | <b>Qatar</b>                                                                                                | <b>Reservation</b>   | <b>N</b> | <b>General reservation on competence of<br/>Committee</b>                                                                              |           |                                                                                                    |
| <b>Article 30<br/>Dispute<br/>settlement</b>                | <b>Afghanistan</b>                                                                                          | <b>Declaration</b>   | <b>P</b> | <b>Not bound / consent from all parties<br/>required</b>                                                                               |           |                                                                                                    |
|                                                             | <b>Bahrain<br/>China<br/>France<br/>Israel<br/>Kuwait<br/>Monaco<br/>Poland<br/>Saudi Arabia<br/>Turkey</b> | <b>Reservation</b>   | <b>P</b> | <b>Not bound</b>                                                                                                                       |           |                                                                                                    |
|                                                             | <b>Chile<br/>Panama</b>                                                                                     | <b>Declaration</b>   | <b>P</b> | <b>Not bound</b>                                                                                                                       |           |                                                                                                    |
|                                                             | <b>Cuba</b>                                                                                                 | <b>Declaration</b>   | <b>P</b> | <b>Dispute settlement by negotiation<br/>through diplomatic channels</b>                                                               |           |                                                                                                    |
|                                                             | <b>Ghana</b>                                                                                                | <b>Declaration</b>   | <b>P</b> | <b>Consent of all parties required</b>                                                                                                 |           |                                                                                                    |
|                                                             | <b>Indonesia</b>                                                                                            | <b>Reservation</b>   | <b>P</b> | <b>Not bound / consent of all parties<br/>required</b>                                                                                 |           |                                                                                                    |
|                                                             | <b>South Africa</b>                                                                                         | <b>Declaration</b>   | <b>P</b> | <b>Recognises competence of ICJ to settle<br/>disputes</b>                                                                             |           |                                                                                                    |
|                                                             | <b>USA</b>                                                                                                  | <b>P Reservation</b> | <b>P</b> | <b>Not bound by art. 30(1) but reserves<br/>right to follow this procedure for<br/>arbitration.</b>                                    |           |                                                                                                    |
| <b>Convention in<br/>General</b>                            | <b>Chile</b>                                                                                                | <b>Declaration</b>   | <b>N</b> | <b>Where CAT provisions incompatible<br/>with Inter-American Convention to<br/>Prevent and Punish Torture, the latter<br/>prevails</b> | <b>UK</b> | <b>Reservation not<br/>applicable to UK, as<br/>UK not party to Inter-<br/>American Convention</b> |
|                                                             | <b>Ecuador</b>                                                                                              | <b>Reservation</b>   | <b>N</b> | <b>Will not permit extradition of its</b>                                                                                              |           |                                                                                                    |

|  |       |                                               |     |  |                                                                                                                                                                                                                                    |  |                                                                                                        |                                                                                   |
|--|-------|-----------------------------------------------|-----|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|
|  |       |                                               |     |  | nationals according to national laws                                                                                                                                                                                               |  |                                                                                                        |                                                                                   |
|  | Qatar | Reservation                                   | N   |  | Reserve on any interpretation of provisions incompatible with Islamic law and religion                                                                                                                                             |  | Denmark, Finland, France, Germany, Italy, Luxembourg, Netherlands, Norway, Portugal, Spain, Sweden, UK | Against OP / invoking national law is not a justification / content not specified |
|  | USA   | Understanding<br>Understanding<br>Declaration | N/P |  | CAT doesn't prevent the carrying out of the death penalty as it is not prohibited in international law<br><br>Implementation by US, local and state governments, depending on jurisdiction<br><br>Articles 1-16 not self-executing |  |                                                                                                        |                                                                                   |

**4. Reservations to the Convention on the Elimination of All Forms of Discrimination against Women**  
Updated until 02/2002

| ARTICLE                 | STATE         | FORM        | TYPE | SUBSTANCE                                                          | OBJECTION                                                         | GROUND     |
|-------------------------|---------------|-------------|------|--------------------------------------------------------------------|-------------------------------------------------------------------|------------|
| Article 1<br>Definition | Liechtenstein | Reservation | N    | Application subject domestic law/Constitution                      |                                                                   |            |
|                         | UK            | Reservation | N    | No amendment to provide more favorable treatment to women than men |                                                                   |            |
| Article 2<br>Policies   | Algeria       | Reservation | N    | Application subject to domestic law                                | Germany<br>Sweden<br>Netherlands<br>Denmark<br>Norway<br>Portugal | Against OP |
| 2(a)                    | Bahamas       | Reservation | N    | Not bound                                                          |                                                                   |            |

|               |              |             |   |  |                                                                         |                                                                            |            |
|---------------|--------------|-------------|---|--|-------------------------------------------------------------------------|----------------------------------------------------------------------------|------------|
|               | Bangladesh   | Reservation | N |  | Not bound/subject to Islamic law (Sharia)                               | Germany<br>Mexico<br>Netherlands<br>Sweden                                 | Against OP |
| 2(f)          | DPR of Korea | Reservation | N |  | Not bound                                                               | Austria<br>Germany<br>Netherlands<br>Spain<br>Sweden                       | Against OP |
|               | Egypt        | Reservation | N |  | Application subject to Islamic law                                      | Germany<br>Sweden<br>Netherlands                                           | Against OP |
| 2(f) and 2(g) | Iraq         | Reservation | N |  | Not bound                                                               | Mexico<br>Sweden<br>Netherlands<br>Germany                                 | Against OP |
|               | Lesotho      | Reservation | N |  | Application subject to domestic law                                     | Finland<br>Netherlands<br>Denmark<br>Norway                                | Against OP |
|               | Libya        | Reservation | N |  | Implementation according to Islamic law                                 | Denmark<br>Finland<br>Germany<br>Mexico<br>Netherlands<br>Norway<br>Sweden | Against OP |
|               | Morocco      | Declaration | N |  | Application subject to Islamic law and no effect on throne succession   | Netherlands                                                                | Against OP |
|               | Niger        | Reservation | N |  | Application subject to domestic law in respect of succession and custom | Denmark<br>Finland<br>France<br>Netherlands<br>Norway                      | Against OP |

|                                                                                    |             |             |   |  |                                                                                 |                                                        |            |
|------------------------------------------------------------------------------------|-------------|-------------|---|--|---------------------------------------------------------------------------------|--------------------------------------------------------|------------|
| <b>2(d) and 2(f)</b>                                                               | New Zealand | Reservation | N |  | Customs might be inconsistent                                                   | Mexico<br>Sweden                                       | Against OP |
|                                                                                    | Singapore   | Reservation | N |  | Subject to domestic law with regards to minorities, religious and personal laws | Denmark<br>Finland<br>France<br>Netherlands<br>Norway  | Against OP |
|                                                                                    | UK          | Reservation | N |  | No measures to provide favorable treatment to women                             |                                                        |            |
| <b>Article 5<br/>Social and<br/>Cultural Patterns<br/>and Family<br/>Education</b> |             |             |   |  |                                                                                 |                                                        |            |
| <b>5 (b)</b>                                                                       | France      | Declaration | N |  | Subject to ICCPR, ECHR and domestic law                                         |                                                        |            |
| <b>5(a)</b>                                                                        | India       | Declaration | N |  | Subject to domestic law and policy of India                                     | Netherlands                                            | Against OP |
| <b>5(a)</b>                                                                        | Malaysia    | Reservation | N |  | Subject to domestic law and Sharia                                              | Finland<br>Norway<br>Denmark<br>Germany<br>Netherlands | Against OP |
| <b>5(a)</b>                                                                        | Niger       | Reservation | N |  | Until modification of laws subject to custom                                    | Denmark<br>Finland<br>France<br>Sweden<br>Norway       | Against OP |
| <b>5(b)</b>                                                                        | Niger       | Declaration | N |  | Interpretation according to the ICCPR and custom                                | Finland<br>France<br>Sweden<br>Norway                  | Against OP |
| <b>5(a)</b>                                                                        | New Zealand | Reservation | N |  | Application subject                                                             | Mexico                                                 | Against OP |



|              |              |             |   |  |                                                 |                                                                                         |            |
|--------------|--------------|-------------|---|--|-------------------------------------------------|-----------------------------------------------------------------------------------------|------------|
| 9(2)         | Algeria      | Reservation | N |  | Subject to domestic law                         | Denmark<br>Germany<br>Netherlands<br>Norway<br>Portugal<br>Sweden                       | Against OP |
| 9(2)         | Bahamas      | Reservation | N |  | Not bound                                       |                                                                                         |            |
| 9(2)         | DPR of Korea | Reservation | N |  | Not bound                                       | Austria<br>Netherlands<br>Germany<br>Spain<br>Sweden                                    | Against OP |
| 9(2)         | Egypt        | Reservation | N |  | Nationality from father subject to domestic law | Germany<br>Mexico<br>Netherlands<br>Sweden                                              | Against OP |
|              | France       | Declaration | N |  | Interpretation subject to nationality code      |                                                                                         |            |
| 9(1) and (2) | Iraq         | Reservation | N |  | Not bound                                       | Mexico<br>Netherlands<br>Germany<br>Sweden                                              | Against OP |
| 9(2)         | Jordan       | Declaration | N |  | Not bound                                       | Sweden                                                                                  | Against OP |
| 9(2)         | Kuwait       | Reservation | N |  | Subject to domestic law                         | Finland<br>Netherlands<br>Denmark<br>Belgium<br>Austria<br>Portugal<br>Norway<br>Sweden | Against OP |
| 9(2)         | Lebanon      | Reservation | N |  | Enters reservation                              | Austria<br>Denmark<br>Netherlands<br>Sweden                                             | Against OP |

|                          |              |             |   |  |                                                                                                                     |                                                                                                                             |            |
|--------------------------|--------------|-------------|---|--|---------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|------------|
| 9(2)                     | Malaysia     | Declaration | N |  | Enters reservation/<br>will review if<br>domestic law is<br>amended                                                 | Denmark<br>Germany<br>Finland<br>France<br>Norway                                                                           | Against OP |
| 9(2)                     | Morocco      | Reservation | N |  | Subject to domestic<br>law                                                                                          | Netherlands                                                                                                                 | Against OP |
| 9(2)                     | Saudi Arabia | Reservation | N |  | Not bound                                                                                                           | Austria<br>Denmark<br>Finland<br>France<br>Germany<br>Ireland<br>Spain<br>Portugal<br>Sweden<br>Norway<br>UK<br>Netherlands | Against OP |
| 9(2)                     | Tunisia      | Reservation | N |  | Subject to domestic<br>law                                                                                          | Germany<br>Netherlands<br>Sweden                                                                                            | Against OP |
| 9(1)                     | Turkey       | Declaration | N |  | Is not in conflict<br>with domestic law<br>since the purpose of<br>the provisions is to<br>prevent<br>statelessness |                                                                                                                             |            |
|                          | UK           | Reservation | N |  | Subject to domestic<br>law (temporary or<br>transition<br>provisions)                                               |                                                                                                                             |            |
| Article 11<br>Employment | Australia    | Reservation | N |  | Not in a position to<br>take measures/<br>maternity leave<br>subject to domestic                                    |                                                                                                                             |            |

|                                           |             |             |   |                                           |                                                                   |            |
|-------------------------------------------|-------------|-------------|---|-------------------------------------------|-------------------------------------------------------------------|------------|
| 11(1)                                     | Malta       | Reservation | N | law                                       |                                                                   |            |
| 11(2) (b)                                 | New Zealand | Reservation | N | Interpretation according to domestic law  |                                                                   |            |
| 11(1)                                     | Singapore   | Reservation | N | Reserves                                  |                                                                   |            |
|                                           |             |             |   | Interpretation according to domestic law  | Finland<br>Netherlands<br>Norway<br>Denmark<br>Sweden             | Against OP |
| 11(2)                                     | UK          | Reservation | N | Subject to domestic law                   |                                                                   |            |
| Article 13<br>Economic and<br>Social Life |             |             |   |                                           |                                                                   |            |
|                                           | Ireland     | Reservation | N | Subject to domestic law                   |                                                                   |            |
|                                           | Malta       | Reservation | N | Subject to domestic law                   |                                                                   |            |
|                                           | UK          | Reservation | N | Subject to domestic law                   |                                                                   |            |
| Article 14<br>Rural Women                 |             |             |   |                                           |                                                                   |            |
| 14(2) (c ) and (h)                        | France      | Reservation | N | Subject to interpretation                 |                                                                   |            |
| Article 15<br>Equality before<br>the law  |             |             |   |                                           |                                                                   |            |
| 15(4)                                     | Algeria     | Reservation | N | Interpretation not contra to domestic law | Germany<br>Norway<br>Netherlands<br>Sweden<br>Portugal<br>Denmark | Against OP |
| 15(2) and (3)                             | Belgium     | Reservation | N | Application shall not affect domestic     |                                                                   |            |

|                                                         |             |             |   |  | law                                                                                   |                                                                   |            |  |  |
|---------------------------------------------------------|-------------|-------------|---|--|---------------------------------------------------------------------------------------|-------------------------------------------------------------------|------------|--|--|
| <b>15(4)</b>                                            | Jordan      | Declaration | N |  | Not bound                                                                             | Sweden                                                            | Against OP |  |  |
|                                                         | Malta       | Reservation | N |  | Until domestic law is amended enters reservation                                      |                                                                   |            |  |  |
| <b>15(4)</b>                                            | Morocco     | Declaration | N |  | Subject to compatibility with domestic law                                            | Netherlands                                                       | Against OP |  |  |
| <b>15(4)</b>                                            | Niger       | Reservation | N |  | Binding if the provision applies to married women. Subject to domestic law and custom | France<br>Netherlands<br>Denmark<br>Finland<br>Sweden<br>Norway   | Against OP |  |  |
| <b>15(2)</b>                                            | Switzerland | Reservation | N |  | Application subject to (interim) domestic law                                         |                                                                   |            |  |  |
| <b>15(4)</b>                                            | Tunisia     | Declaration | N |  | Interpretation contra to domestic law                                                 | Germany<br>Netherlands<br>Sweden                                  | Against OP |  |  |
| <b>15(3)</b>                                            | UK          | Reservation | N |  | Interpretation subject to domestic law                                                |                                                                   |            |  |  |
| <b>15(2)</b>                                            | UK          | Declaration | N |  | Interpretation subject to domestic law                                                |                                                                   |            |  |  |
| <b>Article 16<br/>Marriage and<br/>Family Relations</b> | Algeria     | Reservation | N |  | Should not conflict with domestic law                                                 | Germany<br>Denmark<br>Netherlands<br>Norway<br>Portugal<br>Sweden | Against OP |  |  |
|                                                         | Bahamas     | Reservation | N |  | Not bound                                                                             |                                                                   |            |  |  |
| <b>16(1) (c)</b>                                        | Bangladesh  | Reservation | N |  | Not bound; subject to Sharia law                                                      | Germany<br>Netherlands<br>Mexico                                  | Against OP |  |  |

|                       |         |  |             |   |  |                                                                                             |                                                                               |            |
|-----------------------|---------|--|-------------|---|--|---------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|------------|
|                       | Egypt   |  | Reservation | N |  | Subject to Sharia law                                                                       | Sweden<br>Germany<br>Netherlands<br>Mexico<br>Sweden                          | Against OP |
| 16(1) (g)             | France  |  | Reservation | N |  | Reservation to the right to choose family name                                              |                                                                               |            |
| 16(1)                 | India   |  | Declaration | N |  | Subject to domestic law in accordance with the principle of non-interference in communities | Netherlands                                                                   | Against OP |
| 16(2)                 | India   |  | Declaration | N |  | Not practical in India                                                                      |                                                                               |            |
|                       | Iraq    |  | Reservation | N |  | Subject to Sharia law                                                                       | Sweden<br>Netherlands<br>Mexico<br>Germany                                    | Against OP |
| 16(1) (d) and (f)     | Ireland |  | Reservation | N |  | Understanding according to domestic law                                                     |                                                                               |            |
|                       | Israel  |  | Reservation | N |  | Religious communities are regulated in accordance with domestic law                         |                                                                               |            |
| 16(1) (c) (d) and (g) | Jordan  |  | Declaration | N |  | Not bound                                                                                   | Sweden                                                                        | Against OP |
| 16(1) (f)             | Kuwait  |  | Reservation | N |  | Subject to domestic law                                                                     | Austria<br>Belgium<br>Denmark<br>Finland<br>Netherlands<br>Norway<br>Portugal | Against OP |

|                           |            |             |   |                                                                 |                                                                                                   |            |
|---------------------------|------------|-------------|---|-----------------------------------------------------------------|---------------------------------------------------------------------------------------------------|------------|
| 16(1) (c) (d) (f) and (g) | Lebanon    | Reservation | N | Enters reservation                                              | Sweden<br>Austria<br>Denmark<br>Netherlands<br>Sweden                                             | Against OP |
| 16(1) (c) and (d)         | Libya      | Reservation | N | Subject to Sharia law                                           | Denmark<br>Finland<br>Mexico<br>Sweden<br>Netherlands<br>Norway                                   | Against OP |
| 16(1) (g)                 | Luxembourg | Reservation | N | Shall not effect the right to choose family name                |                                                                                                   |            |
| 16(1) (a) and 16(2)       | Malaysia   | Declaration | N | Subject to domestic law (marriage age for women 16, for men 18) | Denmark<br>Finland<br>France                                                                      | Against OP |
|                           | Maldives   | Reservation | N | Subject to Islamic law                                          | Finland<br>Germany<br>Denmark<br>Austria<br>Canada<br>Netherlands<br>Norway<br>Portugal<br>Sweden | Against OP |
| 16(1) (e)                 | Malta      | Reservation | N | Subject to domestic law with regards to abortion                |                                                                                                   |            |
|                           | Malta      | Reservation | N | Until the amendment of the legislation not bound by article 16  |                                                                                                   |            |
|                           | Morocco    | Reservation | N | Not bound/ Subject to Sharia                                    | Netherlands                                                                                       | Against OP |

|                        |                                                     |             |   |                                                                 |                                                                 |            |
|------------------------|-----------------------------------------------------|-------------|---|-----------------------------------------------------------------|-----------------------------------------------------------------|------------|
| 16(1) (c), (g) and (h) | Niger                                               | Reservation | N | Contrary to existing customs and domestic law                   | France<br>Netherlands<br>Denmark<br>Finland<br>Sweden<br>Norway | Against OP |
| 16(1) (g)              | Republic of Korea                                   | Reservation | N | Not bound                                                       | Germany<br>Mexico<br>Netherlands<br>Sweden                      | Against OP |
|                        | Singapore                                           | Reservation | N | Subject to domestic law                                         | Finland<br>Netherlands<br>Norway<br>Denmark<br>Sweden           | Against OP |
| 16(1), (g) and (h)     | Switzerland                                         | Reservation | N | Subject to interim domestic law                                 |                                                                 |            |
| 16(n)                  | Thailand                                            | Reservation | N | Not bound                                                       | Germany<br>Mexico<br>Netherlands<br>Sweden                      | Against OP |
| 16(1) (c), (d) and (f) | Tunisia                                             | Reservation | N | Not bound                                                       | Germany<br>Netherlands<br>Sweden                                | Against OP |
| 16 (1) (g) and (h)     | Tunisia                                             | Reservation | N | Must not conflict with domestic law                             | Germany<br>Netherlands<br>Sweden                                | Against OP |
| 16 (1) (f)             | UK                                                  | Reservation | N | Subject to domestic law                                         |                                                                 |            |
| Article 29             | Algeria<br>Indonesia<br>Morocco<br>Niger<br>Tunisia | Reservation | P | Not bound by 29(1) Express mutual consent of all parties needed |                                                                 |            |
|                        | Argentina<br>Bahamas                                | Reservation | P | Not bound by 29(1)                                              |                                                                 |            |

|                                                                                                                                                                                                                                                              |             |   |                                                               |  |  |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|---|---------------------------------------------------------------|--|--|--|
| Brasil<br>DPR of Korea<br>Egypt<br>France<br>El Salvador<br>Ethiopia<br>India<br>Iraq<br>Saudi Arabia<br>Lebanon<br>Mauritius<br>Myanmar<br>Pakistan<br>Singapore<br>Kuwait<br>Thailand<br>Vietnam<br>Trinidad and<br>Tobago<br>Turkey<br>Yemen<br>Venezuela |             |   |                                                               |  |  |  |
| China<br>Israel<br>Jamaica<br>Cuba                                                                                                                                                                                                                           | Declaration | P | Not bound by 29(1)                                            |  |  |  |
|                                                                                                                                                                                                                                                              | Reservation | P | Disputes are to be resolved through diplomatic channels       |  |  |  |
| <b>General</b>                                                                                                                                                                                                                                               | Declaration | N | Some provisions not compatible with national law              |  |  |  |
| Chile                                                                                                                                                                                                                                                        | Declaration | N | Preamble is debatable (para 11)                               |  |  |  |
| France                                                                                                                                                                                                                                                       | Declaration | N | Para 11 of Preamble will be interpreted according to right to |  |  |  |
| Germany                                                                                                                                                                                                                                                      | Declaration | N |                                                               |  |  |  |



|  |         |             |   |  |                                                                                |                                  |            |
|--|---------|-------------|---|--|--------------------------------------------------------------------------------|----------------------------------|------------|
|  |         |             |   |  | provisions concerning succession to Spanish Crown                              |                                  |            |
|  | Tunisia | Declaration | N |  | No decision in conflict with the Constitution will be taken according to CEDAW | Germany<br>Netherlands<br>Sweden | Against OP |
|  | UK      | Reservation | N |  | No prejudice to throne, peerage, titles of honor etc.                          |                                  |            |

**5. Reservations to the Convention on the Elimination of Racial Discrimination**  
Updated until 02/2002

| ARTICLE                                           | STATE  | FORM        | TYPE | SUBSTANCE                                                              | OBJECTION | GROUND |
|---------------------------------------------------|--------|-------------|------|------------------------------------------------------------------------|-----------|--------|
| Article 1<br>Definition                           | UK     | Reservation | N    | Reserves the right to apply the Commonwealth Immigration Act           |           |        |
|                                                   | USA    | Reservation | N    | No obligation to enact legislation on discrimination in private sphere |           |        |
| Article 2(1)<br>Eliminating racial discrimination | USA    | Reservation | N    | No obligation to enact legislation on discrimination in private sphere |           |        |
|                                                   | Monaco | Reservation | N    | Reserves the right to apply own regulation on the access of aliens to  |           |        |

|                         |                  |             |   |                                                               |                                                                                    |  |  |
|-------------------------|------------------|-------------|---|---------------------------------------------------------------|------------------------------------------------------------------------------------|--|--|
|                         | Switzerland      | Reservation | N | labor market                                                  | Reserves the right to apply own regulation on the access of aliens to labor market |  |  |
| Article 4<br>Propaganda | Australia        | Declaration | N | Cannot apply in present but will in the future                |                                                                                    |  |  |
|                         | Austria          | Declaration | N | May not jeopardize freedom of speech                          |                                                                                    |  |  |
|                         | Barbados         | Declaration | N | Will enact legislation only if needed                         |                                                                                    |  |  |
|                         | Malta            | Declaration | N | Will enact legislation only if needed                         |                                                                                    |  |  |
|                         | Nepal            | Declaration | N | Will enact legislation only if needed                         |                                                                                    |  |  |
|                         | Papua New Guinea | Declaration | N | Will enact legislation only if needed                         |                                                                                    |  |  |
|                         | Tonga            | Declaration | N | Will enact legislation only if needed                         |                                                                                    |  |  |
|                         | UK               | Declaration | N | Will enact legislation only if needed                         |                                                                                    |  |  |
|                         | Belgium          | Declaration | N | Must be reconciled with freedom of speech                     |                                                                                    |  |  |
|                         | France           | Declaration | N | Not obliged to enact legislation incompatible with freedom of |                                                                                    |  |  |

|                                       |             |             |   |                                                                                         |                                |                                        |
|---------------------------------------|-------------|-------------|---|-----------------------------------------------------------------------------------------|--------------------------------|----------------------------------------|
|                                       | Italy       | Declaration | N | expression<br>Not obliged to enact legislation incompatible with freedom of expression  |                                |                                        |
|                                       | Monaco      | Reservation | N | Not obliged to enact legislation incompatible with freedom of expression                |                                |                                        |
|                                       | Fiji        | Declaration | N | Will enact legislation only if government thinks it is necessary                        |                                |                                        |
|                                       | Japan       | Reservation | N | Subject to constitution                                                                 |                                |                                        |
|                                       | Switzerland | Reservation | N | Reserves the right to enact legislation taking due account of the freedom of expression |                                |                                        |
|                                       | USA         | Reservation | N | Already protected by Constitution. No further legislation required.                     |                                |                                        |
| Article 5<br>List of rights protected | UK          | Reservation | N | Does not apply in Fiji                                                                  |                                |                                        |
|                                       | Fiji        | Reservation | N | Not bound (paras c; d; e; v)                                                            |                                |                                        |
|                                       | Tonga       | Reservation | N | Not bound (paras d; v)                                                                  |                                |                                        |
|                                       | Yemen       | Reservation |   | Not bound (paras c; d; iv; v; vii)                                                      | Italy; Norway; UK<br>Australia | Plain objection<br>It is a reservation |



|                                                     |                                                                                                                                 |             |   |  |                                                                              |  |  |
|-----------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|-------------|---|--|------------------------------------------------------------------------------|--|--|
| <b>Article 15<br/>Petition/ Colonial<br/>States</b> | Fiji                                                                                                                            | Declaration | N |  | needed<br>The article is<br>discriminatory                                   |  |  |
|                                                     | UK                                                                                                                              | Declaration | N |  | The article is<br>discriminatory                                             |  |  |
|                                                     | France                                                                                                                          |             |   |  | Does not change<br>France position in<br>Resolution General<br>Assembly 1514 |  |  |
| <b>Article 17(1)<br/>Signature</b>                  | Afghanistan<br>Belarus<br>Bulgaria<br>Cuba<br>Hungary<br>Mongolia<br>Poland<br>Romania<br>Russia<br>Ukraine<br>Vietnam<br>Yemen | Declaration | P |  | The article is<br>discriminatory. It<br>should be open to<br>all States.     |  |  |
| <b>Article 18(1)<br/>Accession</b>                  | Afghanistan<br>Bulgaria<br>Cuba<br>Hungary<br>Poland<br>Romania<br>Vietnam<br>Yemen                                             |             |   |  |                                                                              |  |  |
| <b>Article 20<br/>Reservation</b>                   | Fiji<br>Tonga<br>UK                                                                                                             |             |   |  |                                                                              |  |  |
| <b>Article 22<br/>ICJ Jurisdiction</b>              | China<br>Israel<br>Spain                                                                                                        |             |   |  | Not bound                                                                    |  |  |

|                |                                                                                                                                                      |             |   |  |  |  |                                                     |  |  |
|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|---|--|--|--|-----------------------------------------------------|--|--|
|                | Rwanda                                                                                                                                               |             |   |  |  |  |                                                     |  |  |
|                | USA                                                                                                                                                  |             |   |  |  |  | Specific US consent is needed                       |  |  |
|                | Iraq                                                                                                                                                 |             |   |  |  |  | Reserves to the compulsory jurisdiction of the ICJ  |  |  |
|                | Cuba                                                                                                                                                 |             |   |  |  |  | Only diplomatic settlement                          |  |  |
|                | Bahrain<br>Egypt<br>Mozambique<br>Nepal<br>Saudi Arabia<br>Syria<br>India<br>Kuwait<br>Lebanon<br>Libya<br>Yemen<br>Vietnam<br>Madagascar<br>Morocco |             |   |  |  |  | Express mutual consent is needed                    |  |  |
| <b>General</b> | Bahamas<br>Antigua and Barbuda<br>Barbados                                                                                                           | Declaration | N |  |  |  | Obligations do not go beyond national constitution. |  |  |

**6. Reservations to the Convention on the Rights of the Child  
Updated until 02/2002**

| <b>ARTICLE<br/>GENERAL</b> | <b>STATE</b>      | <b>FORM</b> | <b>TYPE</b> | <b>SUBSTANCE</b>                                                                                                   | <b>OBJECTION</b>                                                                                                                                                                                                                                                                                | <b>GROUND</b> |
|----------------------------|-------------------|-------------|-------------|--------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
|                            | Afghanistan       | Reservation | N           | Subject to Islam and Domestic law                                                                                  |                                                                                                                                                                                                                                                                                                 |               |
|                            | Andorra           | Declaration | N           | Andorra deplores the lack of prohibition against children in armed conflict.                                       | Netherlands doubts their commitment.                                                                                                                                                                                                                                                            |               |
|                            | Brunei-Darussalam | Reservation | N           | Subject to Constitution, Islam, the State and religion.                                                            | Austria – general impermissible;<br>Denmark – incompatible with OP;<br>Finland – inadmissible;<br>Germany – doubts commit, to CRC;<br>Ireland – general.<br>Italy – incompatible with OP<br>Netherlands – doubts their commitment;<br>Norway – contrary to OP;<br>Portugal – doubts commitment. |               |
|                            | Cook Island       | Declaration | N           | CRC provisions are State obligations at International Law and not justiciable in domestic law.                     |                                                                                                                                                                                                                                                                                                 |               |
|                            | Djibouti          | Declaration | N           | Shall not consider itself bound by articles incompatible with religion and traditional values (R ).                | Denmark – incompatible with OP; Ireland – doubts commit.;<br>Netherlands – doubts commitment<br>Norway – doubts commit;<br>Portugal – doubts commit;<br>Sweden – doubts commit.                                                                                                                 |               |
|                            | Ecuador           | Declaration | N           | Pleased with reference to unborn child as in need of protection and will use this in interpretation of article 24; |                                                                                                                                                                                                                                                                                                 |               |

|            |             |   |  |                                                                                                                                                                               |                                           |
|------------|-------------|---|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|
|            |             |   |  | disappointment at low age of recruitment of article 38.                                                                                                                       |                                           |
| Egypt      | Reservation | N |  | Reserves as per Sharia and domestic law in relation to all matters touching and concerning adoption.                                                                          |                                           |
| Germany    | Declaration | N |  | CRC does not apply domestically and speak to State obligations in International law. Nothing in CRC to preclude the reasonable efforts to protect illegal entry into Germany. |                                           |
| Holy See   | Declaration | N |  | That the 9 <sup>th</sup> preamble will guide interpretation of CRC                                                                                                            |                                           |
|            |             |   |  | CRC compatible with Vatican City law .                                                                                                                                        |                                           |
| Iran       | Reservation | N |  | Subject to Islam and Shariah.                                                                                                                                                 | Finland – impermissible.                  |
|            |             |   |  |                                                                                                                                                                               | Germany – impermissible.                  |
| Kuwait     | Reservation | N |  | Subject to Islam and Shariah                                                                                                                                                  | Czech Republic- against OP.               |
| Maldives   | Reservation | N |  | Subject to Islam                                                                                                                                                              |                                           |
| Mauritania | Reservation | N |  | Subject to Islam                                                                                                                                                              |                                           |
| Oman       | Reservation | N |  | As per resources                                                                                                                                                              |                                           |
|            |             |   |  |                                                                                                                                                                               | Austria – general and inadmissible        |
|            |             |   |  |                                                                                                                                                                               | Germany – doubts as to commitment to CRC; |
|            |             |   |  |                                                                                                                                                                               | Netherlands – incompatible with OP;       |
|            |             |   |  |                                                                                                                                                                               | Saudi Arabia – contrary to OP;            |
|            |             |   |  |                                                                                                                                                                               | Sweden – doubts commitment.               |
|            |             |   |  |                                                                                                                                                                               | Finland – impermissible.                  |
| Qatar      | Reservation | N |  | Subject to Islam                                                                                                                                                              | Finland – impermissible;                  |
|            |             |   |  |                                                                                                                                                                               | Germany – doubts commit;                  |
|            |             |   |  |                                                                                                                                                                               | Italy – doubts commit;                    |
|            |             |   |  |                                                                                                                                                                               | Netherland – doubts commit;               |
|            |             |   |  |                                                                                                                                                                               | Norway – inadmissible;                    |
|            |             |   |  |                                                                                                                                                                               | Portugal – broad and vague;               |
|            |             |   |  |                                                                                                                                                                               | Slovakia – incompatible with              |

|           |                   |             |   |  |                                                                                                                                    |                                                                                                                                                                                                                                                |
|-----------|-------------------|-------------|---|--|------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|           |                   |             |   |  |                                                                                                                                    | OP,<br>Sweden – doubts commit.                                                                                                                                                                                                                 |
|           | Saudi Arabia      | Reservation | N |  | Subject to Islam                                                                                                                   | Austria – too general and doubts commit.;<br>Denmark – incompatible with OP;<br>Finland – inadmissible;<br>Germany – doubts commit.;<br>Ireland – general;<br>Norway – contrary to OP;<br>Portugal – contrary to OP;<br>Sweden – inadmissible. |
|           | Singapore         | Reservation | N |  | As per Constitution/ domestic law.                                                                                                 | Belgium – contrary to OP;<br>Finland – contrary to OP;<br>Germany – doubts commit.;<br>Italy – doubts commit.;<br>Netherland – doubts commit.;<br>Norway – contrary to OP;<br>Portugal – doubts commit.                                        |
|           | Switzerland       | Declaration | N |  | International humanitarian law to protect child in armed conflict.                                                                 |                                                                                                                                                                                                                                                |
|           | Tunisia           | Declaration | N |  | As per domestic law and resources (D)                                                                                              | Ireland – doubts commit.                                                                                                                                                                                                                       |
|           | UK and N. Ireland | Declaration | N |  | Definition of child.                                                                                                               |                                                                                                                                                                                                                                                |
| ARTICLE 1 | Argentina         | Declaration | N |  | 'Child' means from moment of conception to age 18.                                                                                 |                                                                                                                                                                                                                                                |
|           | Botswana          | Reservation | N |  | As per domestic law.                                                                                                               | Denmark – against OP                                                                                                                                                                                                                           |
|           | Cook Islands      | Declaration | N |  | Provision aims to eliminate arbitrariness and not fetter the right to pursue reasonable measures as prevail in domestic societies. |                                                                                                                                                                                                                                                |
|           |                   | Reservation | N |  | Reserves in so far as conferment of citizenship is per permanent residence                                                         |                                                                                                                                                                                                                                                |
|           | Cuba              | Declaration | N |  | Majority not attained until 18 years.                                                                                              |                                                                                                                                                                                                                                                |
|           | Guatemala         | Declaration | N |  | Human life begins at time of conception.                                                                                           |                                                                                                                                                                                                                                                |
|           | Indonesia         | Reservation | N |  | Arts. 1,14,16,17,21,22,29 to be interpreted in light of constitution.                                                              | Finland – doubts commit.                                                                                                                                                                                                                       |

|                  |               |             |   |  |                                                                                                               |                                                                                                                                               |
|------------------|---------------|-------------|---|--|---------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
|                  | Liechtenstein | Declaration | N |  | Minority 20.                                                                                                  |                                                                                                                                               |
|                  | Malaysia      | Reservation | N |  | Subject to Constitution and national laws                                                                     | Austria – against OP. Finland – impermissible.                                                                                                |
|                  | Syria         | Reservation | N |  | Subject to Sharia                                                                                             | Denmark – contrary to OP;<br>Finland – doubts commitment to CRC;<br>Italy – incompatible with OP;<br>Sweden – doubts commit.<br>Germany – OP. |
| <b>ARTICLE 2</b> | Bahamas       | Reservation | N |  | In light of Constitution re conferment of citizenship.                                                        |                                                                                                                                               |
|                  | Belgium       | Declaration | N |  | (1) non-discrimination not automatically guaranteeing foreigners same rights as nationals.                    |                                                                                                                                               |
|                  | Cook Islands  | Reservation | N |  | In light of domestic legislation re citizenship/ nationality.                                                 |                                                                                                                                               |
|                  | Malaysia      | Declaration | N |  | Subject to Constitution and national laws                                                                     | Austria – against OP                                                                                                                          |
|                  | Syria         | Reservation | N |  | Subject to Islam                                                                                              | Finland – impermissible                                                                                                                       |
|                  | Tunisia       | Reservation | N |  | Subject to Domestic legislation                                                                               | Germany – lack of clarity.                                                                                                                    |
| <b>ARTICLE 3</b> | Cook Islands  | Declaration | N |  | To remove discriminatory pre-sovereignty laws in relation to adoption.                                        |                                                                                                                                               |
|                  | Germany       | Declaration | N |  | Will embark on reforms to protect the right of unmarried/ divorced/ separated parents in relation to custody. |                                                                                                                                               |
|                  | Luxembourg    | Reservation | N |  | According to legislation.                                                                                     |                                                                                                                                               |
| <b>ARTICLE 4</b> | Swaziland     | Declaration | N |  | To the extent of resources.                                                                                   |                                                                                                                                               |
|                  | Canada        | Declaration | N |  | Re aboriginal peoples must take into account article 30.                                                      |                                                                                                                                               |
| <b>ARTICLE 5</b> | Switzerland   | Reservation | N |  | Domestic law.                                                                                                 |                                                                                                                                               |
| <b>ARTICLE 6</b> | China         | Reservation | N |  | Reserves as per domestic law and constitutional.                                                              |                                                                                                                                               |
|                  | Luxembourg    | Declaration | N |  | Will not affect dom leg re abortion.                                                                          |                                                                                                                                               |

|                  |                        |  |             |   |                                                                                                                                                 |                                                   |
|------------------|------------------------|--|-------------|---|-------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|
|                  | Tunisia                |  | Declaration | N | Shall not impede dom leg.                                                                                                                       |                                                   |
| <b>ARTICLE 7</b> | Andorra                |  | Declaration | N | Section 7 of Constitution – acquisition of other nationality means the loss of Andorran nationality.                                            |                                                   |
|                  | France                 |  | Declaration | N | Will not interpret as an obstacle to termination.                                                                                               |                                                   |
|                  | Kuwait                 |  | Declaration | N | Subject to Domestic legislation.                                                                                                                |                                                   |
|                  | Liechtenstein          |  | Reservation | N | Subject to Domestic legislation.                                                                                                                |                                                   |
|                  | Luxembourg             |  | Declaration | N | Interprets as no obstacle to anonymous births.                                                                                                  |                                                   |
|                  | Malaysia               |  | Reservation | N | Subject to Constitution and national laws                                                                                                       | Austria – against OP.<br>Finland – impermissible. |
|                  | Monaco                 |  | Declaration | N | Will not affect domestic legislation.                                                                                                           |                                                   |
|                  | Oman                   |  | Declaration | N | Subject to domestic legislation.                                                                                                                |                                                   |
|                  | Poland                 |  | Reservation | N | Subject to Domestic legislation                                                                                                                 |                                                   |
|                  | Switzerland            |  | Reservation | N | Subject to Domestic legislation.                                                                                                                |                                                   |
|                  | Thailand               |  | Reservation | N | Subject to Domestic legislation.                                                                                                                |                                                   |
|                  | Tunisia                |  | Reservation | N | Subject to Domestic legislation.                                                                                                                |                                                   |
|                  | United Arab Emirates   |  | Reservation | N | Subject to Domestic legislation.                                                                                                                |                                                   |
| <b>ARTICLE 8</b> | Andorra                |  | Declaration | N | Section 7 of Constitution – acquisition of other nationality means the loss of Andorran nationality.                                            |                                                   |
| <b>ARTICLE 9</b> | Bosnia and Herzegovina |  | Reservation | N | (1) Reserves since legislation provides for authorities to determine separation of child from its parents without previous judicial review (N). |                                                   |
|                  | Germany                |  | Declaration | N | Reserves right to reserve/ declare on articles 9,10,18 and 22.                                                                                  |                                                   |
|                  | Iceland                |  | Declaration | N | Final decisions may be taken by admin; under domestic law, all admin decisions are amenable to judicial review.                                 |                                                   |
|                  | Japan                  |  | Reservation | N | (1) won't apply in cases of deportation.                                                                                                        |                                                   |
|                  | Oman                   |  | Reservation | N | (4) add 'public safety'.                                                                                                                        |                                                   |
|                  | Republic of Korea      |  | Reservation | N | Reserves                                                                                                                                        |                                                   |
|                  | Slovenia               |  | Reservation | N | Subject to domestic legislation.                                                                                                                |                                                   |

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| <b>ARTICLE 10</b> | Cook Islands      | Reservation | N | In view of domestic legislation re citizenship.                                                                                                                                              |                                                   |
|                   | Germany           | Declaration | N | Reserves right to reserve/ declare on articles 9, 10, 18 and 22.                                                                                                                             |                                                   |
|                   | Japan             | Declaration | N | (1) shall not affect outcome of application.                                                                                                                                                 |                                                   |
|                   | Liechtenstein     | Reservation | N | Subject to domestic legislation                                                                                                                                                              |                                                   |
|                   | Switzerland       | Reservation | N | Subject to domestic legislation                                                                                                                                                              |                                                   |
| <b>ARTICLE 13</b> | Algeria           | Declaration | N | Interpret in light of dom leg. Re public morality.                                                                                                                                           |                                                   |
|                   | Austria           | Reservation | N | Reserves to extent that it does not affect art 10 and 11 of ECHR.                                                                                                                            |                                                   |
|                   | Belgium           | Declaration | N | Reserves to extent that it does not affect art 10 and 11 of ECHR.                                                                                                                            |                                                   |
|                   | Holy See          | Reservation | N | Interprets CRC to protect inalienable rights of parents re education, religion, association and privacy.                                                                                     |                                                   |
|                   | Kiribati          | Declaration | N | Subject to Customs and tradition                                                                                                                                                             |                                                   |
|                   | Malaysia          | Reservation | N | Subject to Constitution and national laws                                                                                                                                                    | Austria – against OP.<br>Finland – impermissible. |
|                   | Poland            | Declaration | N | Subject to Customs and tradition                                                                                                                                                             |                                                   |
|                   | Singapore         | Declaration | N | Subject to Customs and tradition                                                                                                                                                             |                                                   |
| <b>ARTICLE 14</b> | Algeria           | Declaration | N | (1) (2) To be interpreted in accordance with constitution which establishes Islam as state religion and with dom. Leg. Establishing that child's education to accord with father's religion. |                                                   |
|                   | Bangladesh        | Reservation | N | Reservation to (1)                                                                                                                                                                           |                                                   |
|                   | Belgium           | Declaration | N | in accordance with art 18 ICCPR and art 9 ECHR                                                                                                                                               |                                                   |
|                   | Brunei Darussalam | Reservation | N | Subject to Constitution, Islam, the State and religion.                                                                                                                                      |                                                   |
|                   | Holy See          | Reservation | N | Interprets CRC to protect inalienable rights of parents in relation to education (arts. 13 and 28), religion (art.14), association (art.15) and privacy (art.16).                            |                                                   |

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|                   | Indonesia            | Reservation | N | Arts. 1,14,16,17,21,22,29 to be interpreted in light of constitution.                                                                                             |                                                                                 |
|                   | Iran                 | Reservation | N | (1)Subject to Islamic Shariah                                                                                                                                     |                                                                                 |
|                   | Jordan               | Reservation | N | Subject to Sharia                                                                                                                                                 | Finland – impermissible;<br>Ireland- doubts commit.;<br>Sweden – doubts commit. |
|                   | Kiribati             | Declaration | N | Subject to Customs and tradition                                                                                                                                  |                                                                                 |
|                   | Maldives             | Reservation | N | Subject to Customs and tradition                                                                                                                                  |                                                                                 |
|                   | Malaysia             | Reservation | N | Subject to Constitution and national laws                                                                                                                         | Finland – impermissible.                                                        |
|                   | Morocco              | Reservation | N | Subject to Islam                                                                                                                                                  | Austria – against OP                                                            |
|                   | Netherlands          | Declaration | N | As per art 18 ICCPR and consonant with evolving capacities.                                                                                                       |                                                                                 |
|                   | Oman                 | Reservation | N | Reserves                                                                                                                                                          |                                                                                 |
|                   | Poland               | Declaration | N | Subject to Custom and tradition                                                                                                                                   |                                                                                 |
|                   | Singapore            | Reservation | N | Subject to Customs and tradition                                                                                                                                  |                                                                                 |
|                   | Syria                | Reservation | N | Subject to Islam                                                                                                                                                  | Finland – impermissible.                                                        |
|                   | United Arab Emirates | Reservation | N | Subject to Islam                                                                                                                                                  |                                                                                 |
| <b>ARTICLE 15</b> | Austria              | Reservation | N | Reserves subject to articles 10 and 11 of ECHR                                                                                                                    |                                                                                 |
|                   | Belgium              | Declaration | N | As per articles 10 and 11 of ECHR                                                                                                                                 |                                                                                 |
|                   | Holy See             | Declaration | N | Interprets CRC to protect inalienable rights of parents in relation to education (arts. 13 and 28), religion (art.14), association (art.15) and privacy (art.16). |                                                                                 |
|                   | Kiribati             | Declaration | N | Subject to Customs and tradition                                                                                                                                  |                                                                                 |
|                   | Poland               | Declaration | N | Subject to Customs and tradition                                                                                                                                  |                                                                                 |
|                   | Singapore            | Declaration | N | Subject to Customs and tradition                                                                                                                                  |                                                                                 |
| <b>ARTICLE 16</b> | Algeria              | Declaration | N | Must be interpreted in light of dom leg. Re public morality                                                                                                       |                                                                                 |
|                   | Holy See             | Reservation | N | Interprets CRC to protect inalienable rights of parents in relation to education (arts. 13 and 28), religion (art.14), association (art.15) and privacy (art.16)  |                                                                                 |
|                   | Indonesia            | Reservation | N | Arts. 1,14,16,17,21,22,29 to be interpreted in light of constitution.                                                                                             |                                                                                 |

|            |                      |             |   |                                                                                                                                                                                                                                                                                                                                                                                                           |                                      |
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|            | Kiribati             | Declaration | N | Subject to Customs and tradition                                                                                                                                                                                                                                                                                                                                                                          |                                      |
|            | Mali                 | Reservation | N | Subject to Domestic law                                                                                                                                                                                                                                                                                                                                                                                   |                                      |
|            | Poland               | Declaration | N | Subject to Customs and tradition                                                                                                                                                                                                                                                                                                                                                                          |                                      |
|            | Singapore            | Declaration | N | Subject to Customs and tradition                                                                                                                                                                                                                                                                                                                                                                          |                                      |
| ARTICLE 17 | Algeria              | Declaration | N | Must be interpreted in light of dom. Leg re Public morality.                                                                                                                                                                                                                                                                                                                                              |                                      |
|            | Austria              | Reservation | N | Applied if compatible with basic rights of freedom of information and press.                                                                                                                                                                                                                                                                                                                              |                                      |
|            | Indonesia            | Reservation | N | Must be interpreted in light of Penal Code that (CHECK) limits subject to public order etc and Information Code that limits makes information assisted by Education Board and subject to incitements against Islamic morality etc.                                                                                                                                                                        |                                      |
|            | Singapore            | Declaration | N | Customs and tradition                                                                                                                                                                                                                                                                                                                                                                                     |                                      |
|            | Turkey               | Reservation | N | As per Constitution and Treaty of Lausanne 1923.                                                                                                                                                                                                                                                                                                                                                          |                                      |
|            | United Arab Emirates | Reservation | N | Subject to Tradition and Culture                                                                                                                                                                                                                                                                                                                                                                          | Austria and Germany – impermissible. |
| ARTICLE 18 | Germany              | Declaration | N | On signing reserves right to reserve/declare on arts. 9,10,18,22 on ratification. In spite of 3 (1) custody doesn't automatically go to parents and is decided in best interests of child (case by case). Without prejudice to national laws on a) legal rep. of minors b) rights of custody/ access to in wedlock children c) family/inheritance law status of out of wedlock children. Reforms planned. |                                      |
| ARTICLE 19 | Singapore            | Declaration | N | Law and order legislation and no prohibition of corporal punishment.                                                                                                                                                                                                                                                                                                                                      | Belgium – contrary to purpose.       |
| ARTICLE 20 | Brunei Darussalam    | Reservation | N | Reserves in accordance with Constitution and Islam, the State and religion.                                                                                                                                                                                                                                                                                                                               |                                      |
|            | Egypt                | Reservation | N | Reserves as per Sharia law and domestic                                                                                                                                                                                                                                                                                                                                                                   |                                      |

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|                   |                      |             |     |  |  | law.                                                                                                                   |                          |
|                   | Jordan               | Reservation | N   |  |  | Subject to Sharia                                                                                                      |                          |
| <b>ARTICLE 21</b> | Argentina            | Reservation | N/P |  |  | (b), (c), (d), (e) – no mechanism exists to prevent the trafficking/ sale of children.                                 |                          |
|                   | Bangladesh           | Reservation | N   |  |  | Reserves in accordance with domestic law.                                                                              | Sweden – contrary to OP. |
|                   | Brunei Darussaleh    | Reservation | N   |  |  | In accordance with Constitution, Islam, the State and religion.                                                        |                          |
|                   | Canada               | Reservation | N   |  |  | Reserves to protect aboriginal rights as per art.30.                                                                   |                          |
|                   | Egypt                | Reservation | N   |  |  | As per Sharia and domestic law.                                                                                        |                          |
|                   | Indonesia            | Reservation | N   |  |  | Arts. 1,14,16,17,21,22,29 to be interpreted in light of constitution.                                                  |                          |
|                   | Jordan               | Reservation | N   |  |  | Subject to Sharia                                                                                                      |                          |
|                   | Kuwait               | Declaration | N   |  |  | Subject to Islam                                                                                                       |                          |
|                   | Maldives             | Reservation | N   |  |  | Subject to Islam                                                                                                       |                          |
|                   | Oman                 | Reservation | N   |  |  | Subject to Islam                                                                                                       |                          |
|                   | Republic of Korea    | Reservation | N   |  |  | Reserves                                                                                                               |                          |
|                   | Spain                | Declaration | N   |  |  | Not construed to permit financial benefits from adoption.                                                              |                          |
|                   | Syria                | Reservation | N   |  |  | Subject to Islam                                                                                                       | Finland - impermissible  |
|                   | United Arab Emirates | Reservation | N   |  |  | Subject to Islam                                                                                                       |                          |
|                   | Venezuela            | Declaration | N   |  |  | International adoption only/ no financial gain for adoption.                                                           |                          |
| <b>ARTICLE 22</b> | Germany              | Reservation | N   |  |  | Reserves right to reserve/ declare on articles 9,10,18 and 22.                                                         |                          |
|                   | Indonesia            | Reservation | N   |  |  | Arts. 1,14,16,17,21,22,29 to be interpreted in light of constitution.                                                  |                          |
|                   | Netherlands          | Declaration | N   |  |  | In light of 1951 Geneva Convention.                                                                                    |                          |
|                   | Thailand             | Reservation | N   |  |  | Dom leg.                                                                                                               |                          |
| <b>ARTICLE 24</b> | Argentina            | Declaration | N   |  |  | (f) Family planning is within moral and ethical purview of parents and State has positive obligation to guide parents. |                          |
|                   | Holy See             | Reservation | N   |  |  | Will interpret family planning as natural methods.                                                                     |                          |
|                   | Kiribati             | Reservation | N   |  |  | Reserves                                                                                                               |                          |

|                   |                  |             |  |   |                                                                                                                                                                   |  |
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|                   | Poland           | Declaration |  | N | As per morality                                                                                                                                                   |  |
| <b>ARTICLE 26</b> | Kiribati         | Reservation |  | N |                                                                                                                                                                   |  |
|                   | Malta            | Reservation |  | N | Subject to domestic law                                                                                                                                           |  |
|                   | Netherlands      | Reservation |  | N | No independent entitlement to social security.                                                                                                                    |  |
| <b>ARTICLE 28</b> | Holy See         | Reservation |  | N | Interprets CRC to protect inalienable rights of parents in relation to education (arts. 13 and 28), religion (art.14), association (art.15) and privacy (art.16). |  |
|                   | Kiribati         | Reservation |  | N | 1 (a) will provide resources to ensure                                                                                                                            |  |
|                   | Samoa            | Reservation |  | N | 1 (a) confined to Singaporean children with citizenship.                                                                                                          |  |
|                   | Singapore        | Reservation |  | N | Arts 1,14,16,17,21,22,29 to be interpreted in light of constitution.                                                                                              |  |
| <b>ARTICLE 29</b> | Indonesia        | Reservation |  | N | As per Constitution and Treaty of Lausanne 1923.                                                                                                                  |  |
|                   | Turkey           | Reservation |  | N | Art 4 to be read in conjunction with art 30                                                                                                                       |  |
| <b>ARTICLE 30</b> | Canada           | Declaration |  | N | Not applicable in France in light of article 2                                                                                                                    |  |
|                   | France           | Declaration |  | N | As per Constitution and Treaty of Lausanne 1923.                                                                                                                  |  |
|                   | Oman             | Reservation |  | N | Art 2 applies                                                                                                                                                     |  |
|                   | Turkey           | Reservation |  | N | 2 (a) undertakes to enact legislation accordingly                                                                                                                 |  |
|                   | Venezuela        | Declaration |  | N | Will progressively implement.                                                                                                                                     |  |
| <b>ARTICLE 32</b> | Iceland          | Declaration |  | N | As per existing law.                                                                                                                                              |  |
|                   | India            | Reservation |  | N | Specific provision for child labourers between 12-16.                                                                                                             |  |
|                   | New Zealand      | Reservation |  | N | As per domestic law of dependent territories except for Hong Kong whose law makes provisions for 'young persons' above 15/ below 18.                              |  |
|                   | Singapore        | Reservation |  | N |                                                                                                                                                                   |  |
|                   | UK and N.Ireland | Reservation |  | N |                                                                                                                                                                   |  |

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| <b>ARTICLE 37</b> | Australia         | Reservation | N | Subject to the feasibility of honouring the provision having regard to its demography and geography.                                                                            |                          |
|                   | Cook Islands      | Reservation | N | Subject to what is feasible.                                                                                                                                                    |                          |
|                   | Iceland           | Reservation | N | Place of imprisonment of juveniles will be determined having regard to best interest of child since it is not obligatory at domestic law for separation of children and adults. |                          |
|                   | Japan             | Reservation | N | Separation only general.                                                                                                                                                        |                          |
|                   | Netherlands       | Reservation | N | As per domestic law                                                                                                                                                             |                          |
|                   | New Zealand       | Reservation | N | As per facilities                                                                                                                                                               |                          |
|                   | Singapore         | Declaration | N | Law and order legislation and corporal punishment.                                                                                                                              | Belgium – contrary to OP |
|                   | Switzerland       | Reservation | N | No guarantees in separation.                                                                                                                                                    |                          |
|                   | UK and N. Ireland | Reservation | N | As per facilities (also independent territories).                                                                                                                               |                          |
| <b>ARTICLE 38</b> | Andorra           | Declaration | N | Disagrees (2), (3).                                                                                                                                                             |                          |
|                   | Argentina         | Declaration | N | Should be no children in armed conflict as per domestic law.                                                                                                                    |                          |
|                   | Austria           | Declaration | N | (2) incompatible with best interests of child as per 3 (1). (3) only male Austrian citizens liable to compulsory military service.                                              |                          |
|                   | Columbia          | Declaration | N | Age of recruitment should be 18                                                                                                                                                 |                          |
|                   |                   | Reservation | N | (2), (3) reserves in so far as the age of recruitment in Columbia is 18 (R)                                                                                                     |                          |
|                   | Germany           | Declaration | N | Age inconsistent with art 3 (1)                                                                                                                                                 |                          |
|                   | Netherlands       | Declaration | N | Age should be above 15                                                                                                                                                          |                          |
|                   | Spain             | Declaration | N | Should be higher                                                                                                                                                                |                          |
|                   | Uruguay           | Reservation | N | 18 years for recruitment                                                                                                                                                        |                          |
| <b>ARTICLE 40</b> | Belgium           | Declaration | N | According to law to preclude circumstances where juvenile tried as adult.                                                                                                       |                          |
|                   | Denmark           | Reservation | N | Reserves for circumstances where jury                                                                                                                                           |                          |

|                   |                   |  |             |   |                                                                                                                                                                                                                           |  |
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|                   |                   |  |             |   | decides on guilt and this has not been disturbed by legally trained judges.                                                                                                                                               |  |
|                   | France            |  | Declaration | N | Exceptions to non-appealable criminal offences; decisions by final court of jurisdiction may be appealed on the grounds of legality of decision taken.                                                                    |  |
|                   | Germany           |  | Reservation | N | (2) (b) (ii) (v) there shall not in all the cases be a right to legal or other appropriate assistance in preparation of defence and/or b) an obligation to have a non-custodial offence reviewed by higher judicial body. |  |
|                   | Monaco            |  | Reservation | N | As per domestic law                                                                                                                                                                                                       |  |
|                   | Netherlands       |  | Reservation | N | Without legal representation and judicial review as per law                                                                                                                                                               |  |
|                   | Republic of Korea |  | Reservation | N | (2) (b) (v) reserves                                                                                                                                                                                                      |  |
|                   | Switzerland       |  | Reservation | N | As per domestic law                                                                                                                                                                                                       |  |
|                   | Tunisia           |  | Reservation | N | (2) (b) (v) as per domestic law                                                                                                                                                                                           |  |
| <b>ARTICLE 41</b> | Netherlands       |  | Declaration | N | Protection of children in war.                                                                                                                                                                                            |  |