

2000



COUNCIL OF EUROPE CONSEIL DE L'EUROPE

Strasbourg, 03/02/00

DI-E-RIT (2000) 1

**AD HOC COMMITTEE OF LEGAL ADVISERS
ON PUBLIC INTERNATIONAL LAW
(CAHDI)**

**GROUP OF EXPERTS ON RESERVATIONS TO INTERNATIONAL TREATIES
(DI-E-RIT)**

**3rd meeting
Berlin, 10 March 2000**

**EUROPEAN OBSERVATORY OF RESERVATIONS TO INTERNATIONAL TREATIES:
LIST OF OUTSTANDING RESERVATIONS AND DECLARATIONS
TO INTERNATIONAL TREATIES**

Secretariat memorandum
Prepared by the Directorate General of Legal Affairs

Foreword

1. At its second meeting (Paris, 14-16 September 1998) the Group of Specialists on Reservations to International Treaties (DI-S-RIT) agreed to propose to the CAHDI to operate as an European observatory of reservations to international treaties (see meeting report, document DI-S-RIT (98) 10).
2. At its 16th meeting the CAHDI agreed to this proposal and adopted terms of reference for a Group of Experts responsible for assisting the CAHDI in carrying out such activity (DI-E-RIT). At its 18th meeting, the CAHDI agreed to request an extension of the terms of reference for the Group.
3. In this context, the Group of Experts and possibly the CAHDI regularly considers a list of reservations giving rise to doubts as to their admissibility.
4. The following list includes two parts. Part I concerns reservations and declarations to treaties concluded outside the Council of Europe. It was prepared on the basis of the information provided by delegations of Austria and Finland. It has been completed with information from the United Nations Treaty Series (UNTS) on the new United Nations Treaty Collection site <http://untreaty.un.org/>, accessed on 01/02/00.
5. Part II concerns reservations and declarations to Council of Europe treaties. Information was provided by the Central Department of the Directorate General of Legal Affairs of the Council of Europe and can be accessed via internet at the new URL <http://conventions.coe.int>.
6. Reservations and declarations included hereafter, in particular those concerning Council of Europe treaties, have been selected by the Chairman of the Group of experts on reservations to international treaties (DI-E-RIT), Ambassador MAGNUSON (Sweden) in co-operation with the Chairman of the CAHDI, Ambassador Dr. HILGER (Germany).
7. The format of the information is Convention: State reserving (date of notification to the depository/date of notification by the depository/deadline for objections). In as far as possible, the *text of the reservation and declaration* is included.

Action required

Members of the Group of experts are called upon to consider the following outstanding reservations and declarations and possibly bring to the attention of the CAHDI those raising doubts as to their admissibility in the context of the operation of the CAHDI as an European observatory of reservations to international treaties.

List of outstanding reservations and declarations

PART I: RESERVATIONS TO NON-COUNCIL OF EUROPE TREATIES

- 1) Convention on the Privileges and Immunities of the United Nations (13 February 1946)

Portugal (14 October 1998, 18 March 1999 – 17 March 2000)

The exemption established in paragraph (b) of section 18 shall not apply with respect to Portuguese Nationals and Residents in the Portuguese Territory which have not acquired this quality for the purpose of the exercise of their activity.

- 2) Convention Relating to the Status of Stateless Persons (New York, 28 September 1954)

St. Vincent and the Grenadines (27 April 1999, 6 May 1999 – 5 May 2000)

The Government of St. Vincent and the Grenadines can only undertake that the provisions of articles 23, 24, 25 and 31 will be applied in St. Vincent and the Grenadines so far as the law allows.

- 3) International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations (Rome, 26 October 1961)

Lithuania (22 April 1999, 7 May 1999 – 6 May 2000)

In accordance with subparagraph (a) (iii) of paragraph 1 of article 16 of the [...] Convention, the Republic of Lithuania declares that as regards phonograms the producer of which is not a national or a legal person of another Contracting State, it will not apply the provisions of article 12 of the above-mentioned Convention.

- 4) United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Vienna, 20 December 1988)

Indonesia (23 February 1999, 18 March 1999 – 17 March 2000)

The Republic of Indonesia, while ratifying to the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988, does not consider itself bound by the provision of article 32, paragraphs (2) and (3), and take the position that disputes relating to the interpretation and application [of] the Convention which have not been settled through the channel provided for in paragraph (1) of the said article, may be referred to the International Court of Justice only with the consent of all the Parties to the dispute.

The Netherlands (Netherlands Antilles and Aruba) (10 March 1999, 12 May 1999 – 11 May 2000)

The government of the Kingdom of the Netherlands accepts the provisions of Article 3, paragraph 6, 7 and 8, only in so far as the obligations under these provisions are in accordance with Netherlands Antillean and Aruban criminal legislation and Netherlands Antillean and Aruban policy on criminal matters.

- 5) International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (New York, 18 December 1990)

Mexico (8 March 1999, 14 April 1999 – 13 April 2000)

The Government of the United Mexican States makes an express reservation with regard to article 2, paragraph 4, of this Convention, solely insofar as it refers to the application of article 33 of the Political Constitution of the United Mexican States and article 125 of the General Population Act.

PART II: RESERVATIONS AND DECLARATIONS TO COUNCIL OF EUROPE TREATIES

- 6) Convention for the Protection of Human Rights and Fundamental Freedoms (ETS No. 005) (4 November 1950)

Finland (1 April 1999, 30 April 1999, 29 April 2000)

Partial withdrawal of reservation:

Whereas the instrument of ratification contained inter alia a reservation to Article 6, paragraph 1, of the Convention, whereas after partial withdrawal of the reservation on 12 December 1996 as well as on 24 April 1998, paragraphs 1, 3 and 4 of the reservation read as follows:

"For the time being, Finland cannot guarantee a right to an oral hearing insofar as the current Finnish laws do not provide such a right. This applies to:

1. proceedings before the Supreme Court in accordance with Chapter 30, Section 20, of the Code of Judicial Procedure; proceedings before Water Courts when conducted in accordance with Chapter 16, Section 14, of the Water Act; proceedings before the Courts of Appeal as regards the consideration of petition, civil and criminal cases to which Chapter 26 (661/1978), Sections 7 and 8, of the Code of Judicial Procedure are applied; and the consideration of criminal cases which have been pending before a District Court at the time of entry into force of the Criminal Proceedings Act on 1 October 1997 and to which existing provisions have been applied by the District Court; and proceedings before the Water Court of Appeal as regards the consideration of criminal and civil cases in accordance with Chapter 15, Section 23, of the Water Act, if the decision of the Water Court has been given before the entry into force of the Act Amending the Code of Judicial Procedure on 1 May 1998; and the consideration of petition, appeal and executive assistance cases, in accordance with Chapter 15, Section 23, of the Water Act, if the decision of the Water Court has been given before the entry into force of the Act on Administrative Judicial Procedure on 1 December 1996;

3. proceedings, which are held before the Insurance Court as the Court of First Instance, in accordance with Section 9 of the Insurance Court Act;

4. proceedings before the Appellate Board for Social Insurance in accordance with Section 8 of the Decree on the Appellate Board for Social Insurance;"

Whereas, due to the amendments made to the provisions concerning the procedure before the Courts of Appeal, neither the provisions concerning the procedure before the Courts of Appeal nor the provisions concerning the procedure before the Supreme Court any longer set obstacles for holding an oral hearing before the Supreme Court in accordance with Article 6, paragraph 1, of the Convention, as interpreted by the European Court of Human Rights; and whereas the relevant provisions of the Finnish legislation have been amended so as to better correspond to Article 6, paragraph 1, of the Convention as far as proceedings before the Insurance Court and the Appellate Board for Social Insurance are concerned;

Now therefore Finland withdraws the reservation in paragraph 1 above, as far as it concerns proceedings before the Supreme Court, with the exception of consideration of cases in which the decision of a District Court has been made before 1 May 1998, when the amendments made to the provisions concerning proceedings before Courts of Appeal entered into force.

Finland also withdraws the reservations in paragraphs 3 and 4 above, with the exception of consideration of cases which have become pending before the entry into force of the Acts amending the Insurance Court Act and the Health Insurance Act on 1 April 1999.

Appendix including the texts of the respective laws referred to in the partial withdrawal of reservations

Act amending the Health Insurance Act

issued on 5 March 1999

Section 54

The Act on Administrative Judicial Procedure (586/1996) shall apply to the consideration of cases before the Appellate Board for Social Insurance unless otherwise provided elsewhere in the law. The Appellate Board for Social Insurance holds an oral hearing, when it is necessary for the purpose of resolving the case, in accordance with the provisions in Section 37 of the Act on Administrative Judicial Procedure. In a case where the decision of the Appellate Board for Social Insurance cannot be appealed against, the Appellate Board for Social Insurance shall hold an oral hearing on request by an individual party to the proceedings, in accordance with the provisions in Section 38 of the Act on Administrative Judicial Procedure.

This Act shall enter into force on 1 April 1999. The Act shall apply to appeals which have become pending after the entry into force of the Act.

Act amending the Insurance Court Act

Issued at Helsinki on 5 March 1999

Section 9 (1)

The Act on Administrative Judicial Procedure (586/1996) shall apply to the consideration of cases before the Insurance Court unless otherwise provided elsewhere in the law. The Insurance Court holds an oral hearing, when it is necessary for the purpose of resolving the case, in accordance with the provisions in Section 37 of the Act on Administrative Judicial Procedure. The Insurance Court shall hold an oral hearing on request by an individual party to the proceedings, in accordance with the provisions in Section 38 of the Act on Administrative Judicial Procedure.

Section 10 (2)

This Act shall enter into force on 1 April 1999. The Act shall apply to the consideration of appeals which have become pending after the entry into force of the Act.

7) European Social Charter (ETS No. 35) (18 October 1961)

Czech Republic (3 November 1999, 18 January 2000 – 17 January 2001)

In accordance with the provisions of Article 20 of the European Social Charter:

- 1. the Czech Republic undertakes to pursue the aims stated in Part I of the Charter;*
- 2. the Czech Republic considers itself bound by the following provisions:*

Article 1, paragraphs 1, 2, 3

Article 2, paragraphs 1, 2, 3, 4, 5

Article 3, paragraphs 1, 2, 3

Article 4, paragraphs 2, 3, 4, 5

Article 5

Article 6, paragraphs 1, 2, 3, 4

Article 7, paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 9, 10

Article 8, paragraphs 1, 2, 3, 4

Article 11, paragraphs 1, 2, 3

Article 12, paragraphs 1, 2, 3, 4

Article 13, paragraphs 1, 2, 3, 4

Article 14, paragraphs 1, 2

Article 15, paragraph 2,

Article 16

Article 17

Article 18, paragraph 4

Article 19, paragraph 9

Hungary (8 July 1999, 23 July 1999 – 22 July 2000)

The Republic of Hungary undertakes to consider itself bound, in accordance with Article 20, paragraph 1, sub-paragraphs b and c, by Articles 1, 2, 3, 5, 6, 8, 9, 11, 13, 14, 16 and 17 of the European Social Charter.

- 8) Convention on the Conservation of European Wildlife and Natural Habitats (ETS No. 104), (19 July 1979)

Slovenia (29 September 1999, 26 November 1999 – 25 November 2000)

Pursuant to the provisions of paragraph 1 of Article 22 and in connection with Article 6 of the Convention, the Republic of Slovenia makes reservations to the Appendix II for the species of wolf (Canis lupus) and brown bear (Ursus arctus).

- 9) Protocol No. 6 to the Convention for the Protection of Human Rights and Fundamental Freedoms concerning the Abolition of the Death Penalty (ETS No. 114) (28 April 1983)

United Kingdom (20 May 1999, 28 May 1999 – 27 May 2000)

The United Kingdom accepts the said Convention for the United Kingdom of Great Britain and Northern Ireland, the Bailiwick of Guernsey, the Bailiwick of Jersey and the Isle of Man, being territories for whose international relations the United Kingdom is responsible.

Cyprus (19 January 2000 – [Not yet notified- English version only](#))

It is hereby communicated, in accordance with Article 2 of the Protocol, that the death penalty is retained for the following offences under the Military Criminal Code and Procedure Law no. 40 of 1964 as amended:

- | | |
|---|------------------|
| - Treason | - section 13 |
| - Surrender of entrusted post by military commander | - section 14 |
| - Capitulation in open place by officer in command | - section 15 (a) |
| - Instigating or leading a revolt within the armed forces | - section 42 (2) |
| - Transmission of military secrets to a foreign state, spy of agent | - section 70 (1) |

- Instigating or leading a revolt among war prisoners

- section 95 (2).

An English translation of the provisions of the above offences is attached as Appendix I to this Communication.

It is further communicated that by virtue of the provisions of the Military Criminal Code and Procedure (Amendment) Law no. 91(I) of 1995, the death penalty, wherever provided for in the principal law, is imposed only when the offence is committed in time of war. According to the same provisions, the death penalty is not a mandatory sanction, but may, on the discretion of the Court, be substituted by imprisonment for life or for a shorter period.

An English translation of the provisions of the Military Criminal Code and Procedure (Amendment) Law no. 91(I) of 1995 is attached as Appendix II.

APPENDIX I - Translation into English of the provisions of the offences under the Military Criminal Code and Procedure Law no. 40 of 1964 carrying the death penalty.

Treason **Section 13** – A member of the armed forces who in time of war or armed revolt or state of emergency –

1. takes arms against the Republic;
2. voluntarily undertakes any military service with the enemy;
3. surrenders to the enemy or to another, in the interests of the enemy, either the force commended by him or the fort of other military post or town entrusted to him, or arms or any means of war or ammunition or supplies of the army in food stuffs and materials of all kinds or money;
4. comes to terms with the enemy for the purpose of helping the operations thereof;
5. knowingly acts in a manner capable of benefiting the military operations of the enemy or of damaging the operations of the army;
6. causes or participates in an agreement purporting to compel the commander of a besieged position, to surrender or come to terms;
7. causes the army in the face of the enemy to take to flight or obstructs the reassembling thereof or in any way tries to inspire fear in the army;
8. attempts anything which is capable of endangering the life, corporal integrity or the personal liberty of the Commander,

is guilty of a felony and is punishable with death and degradation.

Surrender of entrusted post

by military commander **Section 14** – A military commander or garrison (fortress) commander, who has come to terms with the enemy and surrendered the post entrusted to him without having exhausted all the possible means of defence and without having performed

all the obligations imposed upon him by the military duty and honour, is guilty of a felony and is punishable with death and degradation.

Capitulation in open place

by officer in command

Section 15 – *A commander of an armed military unit who, in an open place comes to terms is guilty of a felony and is punishable –*

9. *with death and degradation, if as a result of his coming to terms his force has laid down the arms, or if before negotiating orally or in writing, he did not fulfil the obligations imposed on him by the military duty and honour;*
10.

Revolt within

the armed forces Section 42

11. *(defines revolt)*
12. *The instigators and the leaders of a revolt as well as the officer superior in rank, are guilty of a felony and are punishable with death and degradation. The other rebels are guilty of a felony and are punishable in time of peace with imprisonment not exceeding seven years, and in time of war, armed revolt, state of emergency or mobilisation, with death.*
13.

Transmission

of military secrets Section 70

14. *A member of the armed forces of any person, in the service of the army, who unlawfully and intentionally delivers or makes known to another or allows to come to the possession or knowledge of another documents, plans or other objects or secret information of a military significance is guilty of a felony and is punishable with imprisonment not exceeding fourteen years and with death and degradation if he delivered them or made them known to a foreign State or spy or agent thereof.*

.....

15. *(defines what constitutes military secrets).*

Revolt among

prisoners of war

Section 95

16. *(defines state of revolt among prisoners of war)*

17. *The inciters and those who led the revolt as well as the officers and non-commissioned officers, are guilty of a felony and are punishable with death and the others with imprisonment not exceeding fourteen years.*

18.

APPENDIX II – Number 91(1) of 1995 –

A Law to amend the Military Criminal Code and Procedure

The House of Representatives enacts as follows :

19. *This Law may be cited as the Military Criminal Code and Procedure (Amendment to Law of 1995 and shall be read as one with the Military Criminal Code and Procedure of 1964 to 1993 (hereinafter referred to as « the principal law ») and the principal law and this Law shall together be cited as the Military Criminal Code and Procedure of 1964 to 1995.*

20. *The following new subsection is substituted for subsection 2 of section 7 of the principal law :*

« 2. *The death penalty wherever provided in this law is imposed only when the offence is committed in time of war, without prejudice to the right of the Court to impose life imprisonment or imprisonment for a shorter period of time where the circumstances so justify ».*

10) Additional Protocol to the European Social Charter (ETS No. 128) (Strasbourg, 05 May 1988)

Czech Republic (17 November 1999, 18 January 2000 – 17 January 2001)

In accordance with the provisions of Article 5 of the Additional Protocol of the European Social Charter:

1. *the Czech Republic undertakes to pursue the aims stated in Part I of the Additional Protocol of the European Social Charter;*

2. *the Czech Republic considers itself bound by the following provisions of the Additional Protocol of the European Social Charter.*

Article 1

Article 2

Article 3

Article 4.

11) European Charter for Regional or Minority Languages (ETS no. 148) (5 May 1992)

France (7 May 1999, 28 May 1999 – 27 May 2000)

France intends to make the following declaration in its instrument of ratification of the European Charter for Regional or Minority Languages:

1. *In so far as the aim of the Charter is not to recognise or protect minorities but to promote the European language heritage, and as the use of the term "groups" of speakers does not grant collective rights to speakers of regional or minority languages, the French Government interprets this instrument in a manner compatible with the Preamble to the*

Constitution, which ensures the equality of all citizens before the law and recognises only the French people, composed of all citizens, without distinction as to origin, race or religion.

2. *The French Government interprets Article 7-1, paragraph d, and Articles 9 and 10 as posing a general principle which is not in conflict with Article 2 of the Constitution, pursuant to which the use of the French language is mandatory on all public-law corporations and private individuals in the exercise of a public service function, as well as on individuals in their relations with public administrations and services.*

3. *The French Government interprets Article 7-1, paragraph f, and Article 8 to mean that they preserve the optional nature of the teaching and study of regional or minority languages, as well as of the history and culture which is reflected by them, and that the purpose of this teaching is not to remove from pupils enrolled in schools on the national territory the rights and obligations applicable to all those attending establishments providing the public education service or associated therewith.*

4. *The French Government interprets Article 9-3 as not opposing the possible use only of the official French version, which is legally authoritative, of statutory texts made available in the regional or minority languages, by public-law corporations and private individuals in the exercise of a public service function, as well as by individuals in their relations with public administrations and services.*

France will specify in its instrument of ratification of the European Charter for Regional or Minority Languages, pursuant to Article 3-1 thereof, the regional or minority languages to which the measures to be selected in accordance with Article 2-2 shall apply. In conformity with Article 2-2, France intends to undertake to apply some or all of the following paragraphs or sub-paragraphs of Part III of the Charter:

Article 8:

Sub-paragraphs 1.a.iii, 1.b.iv, 1.c.iv, 1.d.iv, 1.e.i, 1.e.ii, 1.f.ii, 1.g, 1.h, 1.i

Paragraph 2

Article 9:

Paragraph 3

Article 10:

Sub-paragraphs 2.c, 2.d, 2.g

Article 11:

Sub-paragraphs 1.a.iii, 1.b.ii, 1.c.ii, 1.d, 1.e.ii, 1.f.ii, 1.g

Paragraph 2

Paragraph 3

Article 12:

Sub-paragraphs 1.a, 1.b, 1.c, 1.d, 1.e, 1.g

Paragraph 2

Paragraph 3

Article 13:

Sub-paragraphs 1.b, 1.c, 1.d

Sub-paragraphs 2.b, 2.e

Article 14:

Paragraph a

Paragraph b

- 12) Framework Convention for the Protection of National Minorities (ETS No. 157) (1 February 1995)

Bulgaria (7 May 1999, 28 May 1999 – 27 May 2000)

Confirming its adherence to the values of the Council of Europe and the desire for the integration of Bulgaria into the European structures, committed to the policy of protection of human rights and tolerance to persons belonging to minorities, and their full integration into Bulgarian society, the National Assembly of the Republic of Bulgaria declares that the ratification and implementation of the Framework Convention for the Protection of National Minorities do not imply any right to engage in any activity violating the territorial integrity and sovereignty of the unitary Bulgarian State, its internal and international security.

- 13) European Convention on the Exercise of Children's rights (ETS no. 160) (25 January 1996)

Turkey (9 June 1999, 25 June 1999 – 24 June 2000)

In accordance with paragraph 4 of Article 1 of the Convention, the Republic of Turkey has the honour to declare that the Convention shall be applied to the following categories of the family cases before a judicial authority:

1. *Cases relating to divorce;*
2. *Cases relating to separation;*
3. *Cases concerning the custody of children;*
4. *Parental rights of access to the child;*
5. *Cases relating to establishment of paternal affiliation by means of judicial decision.*

- 14) European Social Charter (revised) (ETS No. 163) (3 May 1996)

Italy (5 July 1999, 23 July 1999 – 22 July 2000)

Italy does not consider itself bound by Article 25 (the right of workers to the protection of their claims in the event of the insolvency of their employer) of the Charter.

Romania (7 May 1999, 28 May 1999 – 27 May 2000)

In accordance with the provisions of Article A, paragraph 1, of Part III of the Charter, Romania accepts Part I of the Charter as a declaration of the aims which it will pursue by all appropriate means and considers itself bound by the provisions of Article 1; Articles 4 - 9; Articles 11, 12, 16, 17, 20, 21, 24, 26, 28 and 29, as well as, moreover, by the provisions of Article 2, paragraphs 1, 2, 4 - 7; Article 3, paragraphs 1 - 3; Article 13, paragraphs 1 - 3; Article 15, paragraphs 1 and 2; Article 18, paragraphs 3 and 4; Article 19, paragraphs 7 and 8, and Article 27, paragraph 2.

Romania declares that it accepts that the application of the legal commitments contained in the European Social Charter (revised) is subject to the control mechanism provided for in Part IV of the European Social Charter adopted in Turin, on 18 October 1961.

Slovenia (7 May 1999, 28 May 1999 – 27 May 2000)

In accordance with Part III, Article A, paragraph 2, of the Charter, the Republic of Slovenia notifies that it considers itself bound by the following Articles of Part II of this Charter: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 (paragraphs 2 and 3), 14, 15, 16, 17, 18 (paragraphs 1, 3 and 4), 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 and 31.

In accordance with Part IV, Article D, paragraph 2, of the Charter, the Republic of Slovenia declares that it accepts the supervision of its obligations under this Charter following the procedure provided for in the Additional Protocol to the European Social Charter providing for a system of collective complaints, done at Strasbourg, on 9 November 1995.

- 15) Convention for the protection of Human Rights and dignity of the human being with regard to the application of biology and medicine: Convention on Human Rights and Biomedicine (ETS No. 164) (4 April 1997)

Denmark (10 August 1999, 20 August 1999 – 19 August 2000)

Reservation

Article 10, paragraph 2, concerning the right to information of registered persons

According to this provision, all persons are entitled to know any information collected about his or her health. However, the wishes of individuals not to be so informed shall be observed.

Danish legislation on registers provides that health information may be exempted from the registered person's right to information. Likewise, Section 10, paragraph 5, of the Public Administration Act (Act No. 572-19/12-1985) provides that material provided as a basis for the preparation of public statistics or scientific studies is not subject to access.

Declarations

I.

Article 20, paragraph 2, sub-paragraph ii, concerning the removal of regenerative tissue

Under this provision, the removal of regenerative tissue, for example bone marrow, from a minor may be authorised in exceptional circumstances if the recipient is a brother or sister of the donor. However, regenerative tissue may not be transplanted from an under-age child to one of its parents. This limitation is not compatible with general practice in Denmark, under Section 13 of the act on medical examinations prior to the issue of a death certificate, post-mortem examinations, transplantation, etc (Act No. 402-13/6-1990) and in certain other countries, given that there are cases – albeit very rare – in which donation from a child to a parent cannot be replaced by any other realistic or equal treatment. In such cases, the donation has the potential to be life-saving for the recipient. The tissue in question will be regenerated more quickly in the child, and the actual surgical intervention is a minor one in which the only risk is the risk related to the anaesthesia. If this treatment option is excluded, the result may be that the child will lose his or her mother or father.

II.

In accordance with Article 35 of the Convention, Denmark declares that until further notice the Convention shall not apply to the Faroe Islands and Greenland.

16) European Convention on Nationality (ETS No. 166) (6 November 1997)

Moldova (30 November 1999 – [Not yet notified - Awaiting the translations of the corresponding laws in official languages](#))

1. *Concerning the application of Article 6, paragraph 4, lit. (g), the Republic of Moldova declares that it will be able to apply it only after the adoption of the proper legal framework for the definition of the refugees statute in the Republic of Moldova, but no later than one year after the entry into force of the Convention for the Republic of Moldova.*
2. *Concerning Article 7, paragraph 1, lit. (g), the Republic of Moldova reserves its right to recognise the right to keep the nationality of the Republic of Moldova to a child who has the nationality of the Republic of Moldova, was adopted abroad and acquired the foreign nationality as a consequence of his or her adoption.*
3. *Concerning Article 22, lit. (a), the Republic of Moldova reserves its right to recognise that a person who has his habitual residence on the territory of the Republic of Moldova and has been exempted from his military obligations in relation to one State Party is not deemed having fulfilled his military obligations in relation to the Republic of Moldova.*
4. *Concerning Article 22, lit. (b), the Republic of Moldova declares that in the Republic of Moldova the age referred in Article 22, lit. (b) is considered to be the completion of the age of 27.*