



CDDH(2017)16

13/12/2017

## **STEERING COMMITTEE FOR HUMAN RIGHTS (CDDH)**

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### **Chart of signatures and ratifications of certain treaties under the responsibility of the CDDH**

#### Introduction

1. The present document is based on information from the Treaty Office of the Council of Europe. It also contains information supplied by member States during the regular “tour de table” held during the 4<sup>th</sup> meeting of the DH-SYSC (9-10 November 2017) and the 88<sup>th</sup> meeting of the CDDH (5-7 December 2017).<sup>1</sup>
2. The document contains information on the following:
  - Protocol No. 15 to the Convention;
  - Protocol No. 16 to the Convention;
  - European Agreement relating to persons participating in proceedings of the Court;
  - Council of Europe Convention on Access to Official Documents.

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<sup>1</sup> It is recalled that, at its 84<sup>th</sup> meeting (8-11 December 2015, CDDH(2015)R84, § 10), the CDDH decided to entrust the DH-SYSC with the systematic follow-up of the prospects of signatures and ratifications of Protocols Nos. 15 and 16 to the Convention as well as the follow-up of the European Agreement relating to Persons Participating in Proceedings of the European Court of Human Rights and specified that, in addition to request of information from concerned experts, awareness-raising actions could be envisaged to reach a higher number of signatures and ratifications of these instruments. The latest information regarding the signatures and ratifications of Protocols Nos. 15 and 16.

**APPENDIX I****Chart of signatures and ratifications  
of Protocol No. 15 to the Convention,****Protocol No. 15 amending the Convention for the Protection of Human Rights and Fundamental  
Freedoms****CETS No. 213**

Treaty open for signature by the High Contracting Parties to Treaty ETS 5

**Opening for signature****Entry into force**Place: Strasbourg  
Date : 24/6/2013Conditions: Ratification by Parties to Treaty ETS 005.  
Date : //*Status as of: 13/12/2017 (as it appears on the Treaty Office website)*

|   |           |
|---|-----------|
| <b>Total number of signatures not followed by ratifications</b> | <b>7</b>  |
| <b>Total number of ratifications/accessions</b>                 | <b>38</b> |

Member States of Council of Europe

|                                   | <b>Signature</b> | <b>Ratification</b> | <b>Entry<br/>into<br/>Force</b> | <b>Notes</b> | <b>R.</b> | <b>D.</b> | <b>A.</b> | <b>T.</b> | <b>C.</b> | <b>O.</b> |
|-----------------------------------|------------------|---------------------|---------------------------------|--------------|-----------|-----------|-----------|-----------|-----------|-----------|
| <b>Albania</b>                    | 11/02/2014       | 17/12/2015          |                                 |              |           |           |           |           |           |           |
| <b>Andorra</b>                    | 24/06/2013       | 27/05/2015          |                                 |              |           |           |           |           |           |           |
| <b>Armenia</b>                    | 24/06/2013       | 30/08/2016          |                                 |              |           |           |           |           |           |           |
| <b>Austria</b>                    | 25/06/2013       | 19/10/2017          |                                 |              |           |           |           |           |           |           |
| <b>Azerbaijan</b>                 | 18/12/2013       | 03/07/2014          |                                 |              |           |           |           |           |           |           |
| <b>Belgium</b>                    | 07/10/2013       |                     |                                 |              |           |           |           |           |           |           |
| <b>Bosnia and<br/>Herzegovina</b> |                  |                     |                                 |              |           |           |           |           |           |           |
| <b>Bulgaria</b>                   | 05/11/2013       | 11/01/2016          |                                 |              |           |           |           |           |           |           |
| <b>Croatia</b>                    | 12/07/2016       |                     |                                 |              |           |           |           |           |           |           |
| <b>Cyprus</b>                     | 24/06/2013       | 16/06/2015          |                                 |              |           |           |           |           |           |           |
| <b>Czech Republic</b>             | 05/11/2013       | 18/03/2015          |                                 |              |           |           |           |           |           |           |
| <b>Denmark</b>                    | 24/06/2013       | 22/07/2016          |                                 |              |           |           |           | T.        |           |           |
| <b>Estonia</b>                    | 22/10/2013       | 30/04/2014          |                                 |              |           |           |           |           |           |           |
| <b>Finland</b>                    | 24/06/2013       | 17/04/2015          |                                 |              |           |           |           |           |           |           |
| <b>France</b>                     | 24/06/2013       | 03/02/2016          |                                 |              |           |           |           |           |           |           |
| <b>Georgia</b>                    | 19/06/2014       | 06/07/2015          |                                 |              |           |           |           |           |           |           |
| <b>Germany</b>                    | 24/06/2013       | 15/04/2015          |                                 |              |           |           |           |           |           |           |
| <b>Greece</b>                     | 02/03/2017       |                     |                                 |              |           |           |           |           |           |           |
| <b>Hungary</b>                    | 09/07/2015       | 30/11/2015          |                                 |              |           |           |           |           |           |           |
| <b>Iceland</b>                    | 09/07/2013       | 03/07/2017          |                                 |              |           |           |           |           |           |           |
| <b>Ireland</b>                    | 24/06/2013       | 24/06/2013 s        |                                 |              |           |           |           |           |           |           |
| <b>Italy</b>                      | 24/06/2013       |                     |                                 |              |           |           |           |           |           |           |
| <b>Latvia</b>                     | 09/05/2017       | 04/12/2017          |                                 |              |           |           |           |           |           |           |
| <b>Liechtenstein</b>              | 24/06/2013       | 26/11/2013          |                                 |              |           |           |           |           |           |           |
| <b>Lithuania</b>                  | 10/06/2014       | 02/09/2015          |                                 |              |           |           |           |           |           |           |
| <b>Luxembourg</b>                 | 24/06/2013       |                     |                                 |              |           |           |           |           |           |           |
| <b>Malta</b>                      |                  |                     |                                 |              |           |           |           |           |           |           |
| <b>Monaco</b>                     | 13/11/2013       | 13/11/2013          |                                 |              |           |           |           |           |           |           |
| <b>Montenegro</b>                 | 08/11/2013       | 08/11/2013 s        |                                 |              |           |           |           |           |           |           |

|   | Signature  | Ratification | Entry into Force | Notes | R. | D. | A. | T. | C. | O. |
|---|------------|--------------|------------------|-------|----|----|----|----|----|----|
| Netherlands                                 | 22/10/2013 | 01/10/2015   |                  |       |    |    |    | T. |    |    |
| Norway                                      | 24/06/2013 | 17/06/2014   |                  |       |    |    |    |    |    |    |
| Poland                                      | 09/04/2014 | 10/09/2015   |                  |       |    |    |    |    |    |    |
| Portugal                                    | 24/06/2013 | 16/01/2017   |                  |       |    |    |    |    |    |    |
| Republic of Moldova                         | 18/11/2013 | 14/08/2014   |                  |       |    |    |    |    |    |    |
| Romania                                     | 24/06/2013 | 28/05/2015   |                  |       |    |    |    |    |    |    |
| Russian Federation                          | 19/09/2016 | 25/09/2017   |                  |       |    |    |    |    |    |    |
| San Marino                                  | 24/06/2013 | 06/11/2013   |                  |       |    |    |    |    |    |    |
| Serbia                                      | 13/12/2013 | 29/05/2015   |                  |       |    |    |    |    |    |    |
| Slovak republic                             | 24/06/2013 | 07/02/2014   |                  |       |    |    |    |    |    |    |
| Slovenia                                    | 24/06/2013 | 04/07/2017   |                  |       |    |    |    |    |    |    |
| Spain                                       | 24/06/2013 |              |                  |       |    |    |    |    |    |    |
| Sweden                                      | 25/06/2013 | 29/03/2016   |                  |       |    |    |    |    |    |    |
| Switzerland                                 | 20/03/2015 | 15/07/2016   |                  |       |    |    |    |    |    |    |
| "The former Yugoslav Republic of Macedonia" | 21/11/2013 | 16/06/2016   |                  |       |    |    |    |    |    |    |
| Turkey                                      | 13/09/2013 | 02/05/2016   |                  |       |    |    |    |    |    |    |
| Ukraine                                     | 20/06/2014 |              |                  |       |    |    |    |    |    |    |
| United Kingdom                              | 24/06/2013 | 10/04/2015   |                  |       |    |    |    |    |    |    |

## International Organisations

|                | Signature | Ratification | Entry into Force | Notes | R. | D. | A. | T. | C. | O. |
|----------------|-----------|--------------|------------------|-------|----|----|----|----|----|----|
| European Union |           |              |                  |       |    |    |    |    |    |    |

**Notes:**

a: Accession s: Signature without reservation as to ratification su: Succession r: Signature "ad referendum".

R.: Reservations D.: Declarations A.: Authorities T.: Territorial Application C.: Communication O.: Objection.

## Information received by 5 December 2017

|  |   |
|--|---|
| <b>BELGIUM / BELGIQUE</b>                            | La Belgique a signé le Protocole n°15 le 7 octobre 2013. Il est escompté que la ratification du Protocole n°15 aura lieu à la fin de l'année 2017.  |
| <b>BOSNIA AND HERZEGOVINA<br/>BOSNIE-HERZEGOVINE</b> | Activities with a view to signing and ratifying Protocols No. 15 and No. 16 have been accelerated. Two ministries are in charge of the process: the Ministry of Human Rights and the Ministry of Foreign Affairs. It is expected that Protocol No. 15 will be signed and ratified soon.   |
| <b>CROATIA / CROATIE</b>                             | Croatia signed Protocol No. 15 on 12 July 2016. The draft law on Protocol No. 15 was discussed by the Government in September 2017. The law on ratification was adopted by Parliament on 5 October 2017. The ratification instrument has been prepared and sent to the Treaty Office of the Council of Europe.  |
| <b>GREECE / GRECE</b>                                | La Grèce a signé le protocole le 2 mars 2017. Il est escompté que la ratification aura lieu avant la fin de l'année 2017.   |
| <b>ITALY / ITALIE</b>                                | La loi de ratification des Protocoles n°s 15 et 16 est déjà adoptée par le Parlement et doit encore être soumise au Sénat.  |
| <b>LUXEMBOURG</b>                                    | La ratification du Protocole n° 15 est envisagée.   |
| <b>MALTA / MALTE</b>                                 | Malta has concluded its internal procedure to ratify Protocol No. 15.   |
| <b>SPAIN / ESPAGNE</b>                               | Signed on 24 June 2013. Ratification proceedings are underway, but due to internal problems the ratification process is delayed. It is however expected that the process will be concluded soon.  |
| <b>UKRAINE</b>                                       | On 20 June 2014, Protocols No. 15 and No. 16 to the Convention were signed by Ukraine. On 5 October 2017, the Verkhovna Rada of Ukraine voted for the Draft Law of Ukraine "On the Ratification of Protocols No. 15 and No. 16 to the Convention for the Protection of Human Rights and Fundamental Freedoms". On 1 November 2017, the Law of Ukraine "On the Ratification of Protocols No. 15 and No. 16 to the Convention for the Protection of Human Rights and Fundamental Freedoms" was officially published and on 12 November 2017 it came into force. Article 9.2 of the Law of Ukraine "On International Treaties of Ukraine" envisages that on the basis of the signed and officially proclaimed by the President of Ukraine, the Chairman of the Verkhovna Rada of Ukraine signs a ratification instrument, which is certified by the signature of the Minister for Foreign Affairs of Ukraine, if the agreement provides for the exchange of such ratifications. As regards Article 6.2 of Protocol No. 15 to the Convention and Article 7.2. of Protocol No. 16 to the Convention the ratification instruments or documents provide for the acceptance or approval shall be submitted to the Secretary General of the Council of Europe. |

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## APPENDIX II

**Chart of signatures and ratifications  
of Protocol No. 16 to the Convention**

**Protocol No. 16 (optional) to the Convention for the Protection of Human Rights and Fundamental Freedoms**

**CETS No. 214**

Treaty open for signature by the High Contracting Parties to Treaty ETS 5

**Opening for signature**

Place: Strasbourg  
Date : 2/10/2013

**Entry into force**

Conditions: 10 Ratifications.  
Date : //

*Status as of: 13/12/2017 (as it appears on the Treaty Office website)*

|   |    |
|---|----|
| <b>Total number of signatures not followed by ratifications</b> | 10 |
| <b>Total number of ratifications/accessions</b>                 | 8  |

Member States of the Council of Europe

|                               | <b>Signature</b> | <b>Ratification</b> | <b>Entry into Force</b> | <b>Notes</b> | <b>R.</b> | <b>D.</b> | <b>A.</b> | <b>T.</b> | <b>C.</b> | <b>O.</b> |
|-------------------------------|------------------|---------------------|-------------------------|--------------|-----------|-----------|-----------|-----------|-----------|-----------|
| <b>Albania</b>                | 24/11/2014       | 22/07/2015          |                         |              |           | D.        |           |           |           |           |
| <b>Andorra</b>                |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Armenia</b>                | 02/10/2013       | 31/01/2017          |                         |              |           | D.        |           |           |           |           |
| <b>Austria</b>                |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Azerbaijan</b>             |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Belgium</b>                |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Bosnia and Herzegovina</b> |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Bulgaria</b>               |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Croatia</b>                |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Cyprus</b>                 |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Czech Republic</b>         |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Denmark</b>                |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Estonia</b>                | 17/02/2014       | 31/08/2017          |                         |              |           |           | A.        |           |           |           |
| <b>Finland</b>                | 02/10/2013       | 07/12/2015          |                         |              |           | D.        |           |           |           |           |
| <b>France</b>                 | 02/10/2013       |                     |                         |              |           |           |           |           |           |           |
| <b>Georgia</b>                | 19/06/2014       | 06/07/2015          |                         |              |           | D.        |           |           |           |           |
| <b>Germany</b>                |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Greece</b>                 | 02/03/2017       |                     |                         |              |           |           |           |           |           |           |
| <b>Hungary</b>                |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Iceland</b>                |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Ireland</b>                |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Italy</b>                  | 02/10/2013       |                     |                         |              |           |           |           |           |           |           |
| <b>Latvia</b>                 |                  |                     |                         |              |           |           |           |           |           |           |

|  |            |            |  |  |  |    |  |  |  |  |
|--|------------|------------|--|--|--|----|--|--|--|--|
| <b>Liechtenstein</b>                               |            |            |  |  |  |    |  |  |  |  |
| <b>Lithuania</b>                                   | 10/06/2014 | 02/09/2015 |  |  |  | D. |  |  |  |  |
| <b>Luxembourg</b>                                  |            |            |  |  |  |    |  |  |  |  |
| <b>Malta</b>                                       |            |            |  |  |  |    |  |  |  |  |
| <b>Monaco</b>                                      |            |            |  |  |  |    |  |  |  |  |
| <b>Montenegro</b>                                  |            |            |  |  |  |    |  |  |  |  |
| <b>Netherlands</b>                                 | 07/11/2013 |            |  |  |  |    |  |  |  |  |
| <b>Norway</b>                                      | 27/06/2014 |            |  |  |  |    |  |  |  |  |
| <b>Poland</b>                                      |            |            |  |  |  |    |  |  |  |  |
| <b>Portugal</b>                                    |            |            |  |  |  |    |  |  |  |  |
| <b>Republic of Moldova</b>                         | 03/03/2017 |            |  |  |  |    |  |  |  |  |
| <b>Romania</b>                                     | 14/10/2014 |            |  |  |  | D. |  |  |  |  |
| <b>Russian Federation</b>                          |            |            |  |  |  |    |  |  |  |  |
| <b>San Marino</b>                                  | 02/10/2013 | 16/02/2015 |  |  |  | D. |  |  |  |  |
| <b>Serbia</b>                                      |            |            |  |  |  |    |  |  |  |  |
| <b>Slovak Republic</b>                             | 02/10/2013 |            |  |  |  |    |  |  |  |  |
| <b>Slovenia</b>                                    | 02/10/2013 | 26/03/2015 |  |  |  | D. |  |  |  |  |
| <b>Spain</b>                                       |            |            |  |  |  |    |  |  |  |  |
| <b>Sweden</b>                                      |            |            |  |  |  |    |  |  |  |  |
| <b>Switzerland</b>                                 |            |            |  |  |  |    |  |  |  |  |
| <b>“The former Yugoslav Republic of Macedonia”</b> |            |            |  |  |  |    |  |  |  |  |
| <b>Turkey</b>                                      | 20/12/2013 |            |  |  |  |    |  |  |  |  |
| <b>Ukraine</b>                                     | 20/06/2014 |            |  |  |  |    |  |  |  |  |
| <b>United Kingdom</b>                              |            |            |  |  |  |    |  |  |  |  |

## International Organisations

|                       | <b>Signature</b> | <b>Ratification</b> | <b>Entry into Force</b> | <b>Notes</b> | <b>R.</b> | <b>D.</b> | <b>A.</b> | <b>T.</b> | <b>C.</b> | <b>O.</b> |
|-----------------------|------------------|---------------------|-------------------------|--------------|-----------|-----------|-----------|-----------|-----------|-----------|
| <b>European Union</b> |                  |                     |                         |              |           |           |           |           |           |           |

a: Accession s: Signature without reservation as to ratification su: Succession r: Signature “ad referendum”.

R.: Reservations D.: Declarations A.: Authorities T.: Territorial Application C.: Communication O.: Objection.

## Information received by 5 December 2017

|  |   |
|--|---|
| <b>ANDORRA / ANDORRE</b>                                   | Andorra has expressed its intention to consider the possibility to sign. However, no further information is available at present.   |
| <b>AZERBAIJAN / AZERBAIDJAN</b>                            | Consultations between all stakeholders (Supreme Court, Ministry of Justice and Constitutional Court) are taking place. These consultations also address the possibility to make certain amendments to the national legislation to this end.   |
| <b>BELGIUM / BELGIQUE</b>                                  | La Belgique n'a pas encore signé le Protocole. Les hautes juridictions (Conseil d'Etat, Cour de cassation et Cour constitutionnelle) ont été consultées et ont exprimé des réserves. Il a été suggéré de ne pas suivre l'avis précité; des réflexions sont en cours.  |
| <b>BOSNIA AND HERZEGOVINA<br/>/<br/>BOSNIE-HERZEGOVINE</b> | Activities with a view to signing and ratifying Protocols Nos. 15 and 16 have been accelerated. It is expected that the Protocol No. 16 will be signed very soon.   |
| <b>BULGARIA / BULGARIE</b>                                 | La ratification du Protocole n° 16, qui met en place un dialogue judiciaire qui n'a pas de caractère contraignant, n'est pas à l'ordre du jour. Cela n'affectera pas la façon dont la Bulgarie applique la Convention.  |
| <b>CROATIA / CROATIE</b>                                   | Croatia is not considering the signing of Protocol No. 16 at this stage.  |
| <b>CYPRUS / CHYPRE</b>                                     | Cyprus has not signed and / or ratified Protocol No. 16 and does not intend to for the time being, mainly due to the judiciary's concerns.  |
| <b>CZECH REPUBLIC /<br/>REPUBLIQUE TCHEQUE</b>             | La première consultation des juridictions suprêmes a mis en avant des questions et difficultés liées à la répartition des compétences entre ces dernières. Le processus sera relancé en vue d'examiner la possibilité de signature et de ratification.  |
| <b>DENMARK / DANEMARK</b>                                  | The Danish government has no concrete plans to ratify Protocol No. 16 at this stage.  |
| <b>FRANCE</b>  | Signé le 2 octobre 2013. Lors de sa visite à la Cour européenne des droits de l'homme le 31 octobre 2017, le Président de la République française a indiqué que la France a engagé le processus de ratification du Protocole n° 16. Des avancements dans le processus de ratification du Protocole n° 16 sont prévus pour début 2018. |
| <b>GERMANY / ALLEMAGNE</b>                                 | The consultation process on Protocol No. 16 has been completed. At present, Germany does not envisage the signature or the ratification of this optional Protocol.  |
| <b>GREECE / GRECE</b>                                      | La Grèce a signé le Protocole n° 16 le 2 mars 2017. La finalisation de la ratification n'est pas encore envisageable.   |
| <b>HUNGARY / HONGRIE</b>                                   | Consultations are underway but the situation is not promising at present (consultations with foreign supreme courts were not conclusive). The ratification of Protocol No. 16 is not on the agenda.   |
| <b>ICELAND / ISLANDE</b>                                   | Iceland is initiating domestic legislation procedures for signature and ratification of Protocol No. 16. The Government is waiting for the advice of the Supreme Court on this question.  |
| <b>IRELAND / IRLANDE</b>                                   | Currently no steps have been taken towards its ratification. Ireland wishes to see how it will work in practice; it has concerns about the Protocol's impact on the caseload of the Court.  |
| <b>ITALY / ITALIE</b>                                      | L'Italie a signé le Protocole n° 16 le 2 octobre 2013 et a l'intention de le ratifier. La loi de ratification des Protocoles n°s 15 et 16 est déjà adoptée par le Parlement et doit encore être soumise au Sénat.   |

|   |  |
|---|--|
| <b>LATVIA / LETTONIE</b>                              | The courts are still very hesitant. The signature of Protocol No. 16 is still under consideration.   |
| <b>LIECHTENSTEIN</b>                                  | Liechtenstein has not signed Protocol No. 16 yet. Liechtenstein was a strong supporter of it during the drafting process. With regard to the ratification of the Protocol, the evaluation of the Ministry of Foreign Affairs is a very positive one. This positive evaluation may be confirmed by the Ministry of Justice, but consultations are still on-going. It is expected that the ratification process will be concluded in the near future.  |
| <b>LUXEMBOURG</b>                                     | Ratification of Protocol No. 16 is not envisaged at the moment.  |
| <b>MALTA / MALTE</b>                                  | No information provided.   |
| <b>REPUBLIC OF MOLDOVA/<br/>REPUBLIQUE DE MOLDOVA</b> | Protocol No. 16 was signed on 3 March 2017.  |
| <b>MONACO</b>   | Aucune décision n'a encore été prise sur une éventuelle signature et ratification.   |
| <b>MONTENEGRO</b>                                     | This issue is under consideration in domestic law.   |
| <b>THE NETHERLANDS / PAYS-BAS</b>                     | The draft bill on the ratification of Protocol No. 16 is currently pending before the Senate. The Government will soon submit its reply to the Senate's written questions. After approval by the Senate the Protocol will be ready for ratification.   |
| <b>NORWAY / NORVEGE</b>                               | Signed on 27 June 2014. The ratification procedure of Protocol No. 16 was stopped by the Ministry of Justice. Norway does not plan to ratify Protocol No. 16 at this stage.  |
| <b>POLAND / POLOGNE</b>                               | The Government has consulted the highest courts, the administration, the national Council of the Judiciary and legal professions. However, the entry into force of the Protocol will require substantial legislative changes. Therefore, the Government is now analysing the scope of the necessary amendments to the civil, criminal and administrative procedures. For the moment, the ratification of the Protocol is not on the agenda. In addition, the Supreme Administrative Court pointed out certain serious problems related to the question of languages. Namely, the fact that advisory opinions of the Court should be issued either in English or in French, could be contrary to the Polish regulations and even to constitutional ones related to the use, in domestic procedures, of judgments or rulings in foreign languages, even if translated. |
| <b>PORTUGAL</b>                                       | L'Etat portugais réfléchit encore quant à la position à adopter. L'application du modèle prévu au niveau interne suscite quelques questions. La ratification n'est pas prévue pour l'instant.  |
| <b>ROMANIA / ROUMANIE</b>                             | La Roumanie a signé le Protocole n° 16 le 14 octobre 2014. Pour pouvoir le ratifier, une modification législative est requise et nécessite du temps. Le projet de loi de ratification est toujours en cours de rédaction et les autorités compétentes analysent des détails techniques.  |
| <b>RUSSIAN FEDERATION /<br/>FEDERATION DE RUSSIE</b>  | Aucune procédure n'a été engagée car, à ce stade, la question d'adhésion de la Fédération de Russie à cet instrument ne se pose pas.   |



|   |   |
|---|---|
| <b>SERBIA / SERBIE</b>  | The signature of Protocol No. 16 is still under consideration.  |
| <b>SLOVAK REPUBLIC /<br/>REPUBLIQUE SLOVAQUE</b>  | Signé le 2 octobre 2013. Le Protocole n° 16 n'a pas encore été ratifié. Par le biais d'une résolution du gouvernement de la République slovaque, le Ministre de la Justice a été chargé de la préparation des projets d'amendements requis pour la mise en œuvre du Protocole. Deux amendements du Code de procédure civile et de procédure administrative sont déjà entrés en vigueur.   |
| <b>SPAIN / ESPAGNE</b>  | Spain has not yet signed Protocol No. 16. The question is still under consideration because there are problems concerning the competencies of the highest courts and the need to accommodate all procedures. Several doubts remain regarding the compatibility with the internal system in Spain.   |
| <b>SWEDEN / SUEDE</b>   | Sweden does not envisage ratification at this stage. It prefers to see how the system will operate in practice and what effects it will have on the workload of the Court.  |
| <b>SWITZERLAND / SUISSE</b>   | Pour l'instant, ce n'est pas une priorité politique. Par ailleurs, la question de la valeur ajoutée de la ratification de cet instrument a été soulevée par des juridictions.   |
| <b>"THE FORMER YUGOSLAV<br/>REPUBLIC OF MACEDONIA" /<br/>"L'EX-RÉPUBLIQUE<br/>YUGOSLAVE DE<br/>MACÉDOINE"</b> | Protocol No. 16 is on the agenda at present and "The Former Yugoslav Republic of Macedonia" expects to sign it soon. The national authorities are working towards its ratification.   |
| <b>TURKEY / TURQUIE</b>   | Signé le 20 décembre 2013. Le processus de ratification est encore en cours.  |
| <b>UKRAINE</b>  | On 20 June 2014, Protocols No. 15 and No. 16 to the Convention were signed by Ukraine. On 5 October 2017, the Verkhovna Rada of Ukraine voted for the Draft Law of Ukraine "On the Ratification of Protocols No. 15 and No. 16 to the Convention for the Protection of Human Rights and Fundamental Freedoms". On 1 November 2017, the Law of Ukraine "On the Ratification of Protocols No. 15 and No. 16 to the Convention for the Protection of Human Rights and Fundamental Freedoms" was officially published and on 12 November 2017 it came into force. Article 9.2 of the Law of Ukraine "On International Treaties of Ukraine" envisages that on the basis of the signed and officially proclaimed by the President of Ukraine, the Chairman of the Verkhovna Rada of Ukraine signs a ratification instrument, which is certified by the signature of the Minister for Foreign Affairs of Ukraine, if the agreement provides for the exchange of such ratifications. As regards Article 6.2 of Protocol No. 15 to the Convention and Article 7.2. of Protocol No. 16 to the Convention the ratification instruments or documents provide for the acceptance or approval shall be submitted to the Secretary General of the Council of Europe. |
| <b>UNITED KINGDOM / ROYAUME-<br/>UNI</b>  | The United Kingdom has long taken the position that it does not oppose advisory opinions in principle so long as they are optional, but equally has expressed itself as unconvinced of their value, particularly for addressing the fundamental problems facing the Court and the Convention system. The United Kingdom will therefore neither sign nor ratify Protocol No. 16 at this time. It will instead observe how the system operates in practice, having regard particularly to the effect on the workload of the Court, and to how the Court approaches the giving of opinions.  |

\* \* \*

## APPENDIX III

**Chart of signatures and ratifications  
of European Agreement relating to persons participating  
in proceedings of the European Court of Human Rights**

**European Agreement relating to persons participating in proceedings of the European Court of Human Rights**

**CETS No. 161**

Treaty open for signature by the member States of the Council of Europe

**Opening for signature**

Place: Strasbourg

Date : 5/3/1996

**Entry into force**

Conditions: 10 Ratifications.

Date : 1/1/1999

*Status as of: 13/12/2017 (as it appears on the Treaty Office website)*

|   |           |
|---|-----------|
| <b>Total number of signatures not followed by ratifications</b> | <b>2</b>  |
| <b>Total number of ratifications/accessions</b>                 | <b>39</b> |

Member States of the Council of Europe

|                               | <b>Signature</b> | <b>Ratification</b> | <b>Entry into Force</b> | <b>Notes</b> | <b>R.</b> | <b>D.</b> | <b>A.</b> | <b>T.</b> | <b>C.</b> | <b>O.</b> |
|-------------------------------|------------------|---------------------|-------------------------|--------------|-----------|-----------|-----------|-----------|-----------|-----------|
| <b>Albania</b>                | 21/09/2000       | 26/02/2003          | 01/04/2003              |              |           |           |           |           |           |           |
| <b>Andorra</b>                | 24/11/1998       | 24/11/1998          | 01/01/1999              |              |           |           |           |           |           |           |
| <b>Armenia</b>                |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Austria</b>                | 07/05/1999       | 10/01/2001          | 01/03/2001              |              |           |           |           |           |           |           |
| <b>Azerbaijan</b>             |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Belgium</b>                | 19/06/1997       | 29/06/2000          | 01/08/2000              |              |           |           |           |           |           |           |
| <b>Bosnia and Herzegovina</b> |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Bulgaria</b>               | 03/07/2000       | 31/05/2001          | 01/07/2001              |              |           | D.        |           |           |           |           |
| <b>Croatia</b>                | 26/01/1998       | 02/12/1999          | 01/02/2000              |              |           | D.        |           |           |           |           |
| <b>Cyprus</b>                 | 12/01/1999       | 09/02/2000          | 01/04/2000              |              |           |           |           |           |           |           |
| <b>Czech Republic</b>         | 10/10/1997       | 24/06/1998          | 01/01/1999              |              |           | D.        |           |           |           |           |
| <b>Denmark</b>                | 05/03/1996       | 28/08/1998          | 01/01/1999              |              |           |           |           |           |           |           |
| <b>Estonia</b>                | 19/05/2000       | 09/01/2012          | 01/03/2012              |              |           | D.        |           |           |           |           |
| <b>Finland</b>                | 19/06/1998       | 23/12/1998          | 01/02/1999              |              |           |           |           |           |           |           |
| <b>France</b>                 | 31/03/1998       | 17/11/1998          | 01/01/1999              |              | R.        | D.        |           |           |           |           |
| <b>Georgia</b>                | 10/05/2001       | 10/05/2001 s        | 01/07/2001              |              |           | D.        |           |           |           |           |
| <b>Germany</b>                | 23/10/1996       | 11/09/2001          | 01/11/2001              |              |           |           |           |           |           |           |
| <b>Greece</b>                 | 26/06/1996       | 07/02/2005          | 01/04/2005              |              |           | D.        |           |           |           |           |
| <b>Hungary</b>                | 06/05/1997       | 01/04/1998          | 01/01/1999              |              |           | D.        |           |           |           |           |
| <b>Iceland</b>                | 27/06/1996       | 04/11/1998          | 01/01/1999              |              |           |           |           |           |           |           |
| <b>Ireland</b>                | 03/06/1998       | 07/05/1999          | 01/07/1999              |              |           |           |           |           |           |           |
| <b>Italy</b>                  | 05/03/1996       | 06/03/1998          | 01/01/1999              |              |           | D.        |           |           |           |           |
| <b>Latvia</b>                 | 31/01/2006       | 27/07/2006          | 01/09/2006              |              |           | D.        |           |           |           |           |
| <b>Liechtenstein</b>          | 21/01/1999       | 21/01/1999 s        | 01/03/1999              |              |           | D.        |           |           |           |           |
| <b>Lithuania</b>              | 11/02/2000       | 18/02/2003          | 01/04/2003              |              |           |           |           |           |           |           |
| <b>Luxembourg</b>             | 05/03/1996       | 12/03/1999          | 01/05/1999              |              |           |           |           |           |           |           |
| <b>Malta</b>                  | 03/11/1998       | 05/02/2015          | 01/04/2015              |              |           | D.        |           |           |           |           |
| <b>Monaco</b>                 | 19/03/2007       | 19/03/2007          | 01/05/2007              |              |           | D.        |           |           |           |           |
| <b>Montenegro</b>             |                  |                     |                         |              |           |           |           |           |           |           |

|  | Signature  | Ratification | Entry into Force | Notes | R. | D. | A. | T. | C. | O. |
|--|------------|--------------|------------------|-------|----|----|----|----|----|----|
| <b>Netherlands</b>                                 | 02/05/1996 | 21/01/1997   | 01/01/1999       |       |    |    |    | T. |    |    |
| <b>Norway</b>                                      | 12/12/2001 | 12/12/2001 s | 01/02/2002       |       |    |    |    |    |    |    |
| <b>Poland</b>                                      | 02/04/2008 | 06/12/2012   | 01/02/2013       |       | R. | D. |    |    |    |    |
| <b>Portugal</b>                                    | 29/04/1997 |              |                  |       |    |    |    |    |    |    |
| <b>Republic of Moldova</b>                         | 04/05/1998 | 08/11/2001   | 01/01/2002       |       | R. | D. |    |    |    |    |
| <b>Romania</b>                                     | 28/05/1998 | 09/04/1999   | 01/06/1999       |       |    |    |    |    |    |    |
| <b>Russian Federation</b>                          |            |              |                  |       |    |    |    |    |    |    |
| <b>San Marino</b>                                  | 07/09/1998 | 28/08/2015   | 01/10/2015       |       |    |    |    |    |    |    |
| <b>Serbia</b>                                      |            |              |                  |       |    |    |    |    |    |    |
| <b>Slovakia</b>                                    | 04/09/2002 | 21/05/2003   | 01/07/2003       |       |    | D. |    |    |    |    |
| <b>Slovenia</b>                                    | 07/05/1999 | 29/11/2001   | 01/01/2002       |       |    |    |    |    |    |    |
| <b>Spain</b>                                       | 24/01/2000 | 19/01/2001   | 01/03/2001       |       |    | D. |    |    |    |    |
| <b>Sweden</b>                                      | 30/04/1996 | 30/09/1998   | 01/01/1999       |       |    |    |    |    |    |    |
| <b>Switzerland</b>                                 | 27/08/1998 | 27/08/1998 s | 01/01/1999       |       |    | D. |    |    |    |    |
| <b>"The former Yugoslav Republic of Macedonia"</b> | 16/11/1998 |              |                  |       |    |    |    |    |    |    |
| <b>Turkey</b>                                      | 03/07/2002 | 06/10/2004   | 01/12/2004       |       |    | D. |    |    |    |    |
| <b>Ukraine</b>                                     | 22/05/2003 | 04/11/2004   | 01/01/2005       |       |    |    |    |    |    |    |
| <b>United Kingdom</b>                              | 27/10/1999 | 09/11/2001   | 01/01/2002       |       |    |    | A. |    |    |    |

**Notes:** a: Accession - s: Signature without reservation as to ratification - su: Succession - r: Signature "ad referendum". R.: Reservations - D.: Declarations - A.: Authorities - T.: Territorial Application - C.: Communication - O.: Objection.

**Information received by 5 December 2017**  
**(see also document CDDH(2014)005, last updated on 28/07/2015)**

|   |  |
|---|--|
| <b>AMENIE / ARMENIA</b>   | No information provided.   |
| <b>AZERBAIJAN / AZERBAIDJAN</b>   | No information provided.   |
| <b>BOSNIA AND HERZEGOVINA / BOSNIE - HERZEGOVINE</b>  | No information provided.   |
| <b>MONTENEGRO</b>   | No information provided.   |
| <b>PORTUGAL</b>   | Le processus de ratification de l'Accord européen sur les personnes participant aux procédures devant la Cour est dans le stade de finalisation. Il est escompté que la ratification aura lieu dans un bref délai.   |
| <b>RUSSIAN FEDERATION / FEDERATION DE RUSSIE</b>  | No information provided.   |
| <b>SERBIA / SERBIE</b>  | The Agreement is not on the agenda at present.   |
| <b>“THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA” / “L'EX-RÉPUBLIQUE YUGOSLAVE DE MACÉDOINE”</b> | Signed on 16 November 1998.  |
| <b>UNITED KINGDOM / ROYAUME-UNI</b>   | <p>The United Kingdom has ratified the 1996 European Agreement relating to persons participating in proceedings of the European Court of Human Rights (ETS 161), and has also extended its application to the Isle of Man. The older 1969 European Agreement relating to Person participating in Proceedings of the European Commission and Court of Human Rights (ETS 67) continues to apply to the Bailiwick of Jersey and the Bailiwick of Guernsey.</p> <p>In a declaration dated 23 February 2015, registered at the Secretariat General on 3 March 2015, the Government of the United Kingdom of Great Britain and Northern Ireland declared that the United Kingdom's ratification of the 1996 Agreement (ETS 161) shall be extended (as of 1 May 2015) to the territory of the Bailiwick of Guernsey, for whose international relations the United Kingdom is responsible.</p> |

\* \* \*

## APPENDIX IV

**Chart of signatures and ratifications of  
Council of Europe Convention on Access to Official Documents**

**Council of Europe Convention on Access to Official Documents****CETS No. 205**

Treaty open for signature by the member States and for accession by non-member States and by any international organisation

**Opening for signature**

Place: Tromsø

Date : 18/6/2009

**Entry into force**

Conditions: 10 Ratifications.

Date : //

*Status as of: 13/12/2017 (as it appears on the Treaty Office website)*

|   |          |
|---|----------|
| <b>Total number of signatures not followed by ratifications</b> | <b>5</b> |
| <b>Total number of ratifications/accessions</b>                 | <b>9</b> |

Member States of the Council of Europe

|                               | <b>Signature</b> | <b>Ratification</b> | <b>Entry into Force</b> | <b>Notes</b> | <b>R.</b> | <b>D.</b> | <b>A.</b> | <b>T.</b> | <b>C.</b> | <b>O.</b> |
|-------------------------------|------------------|---------------------|-------------------------|--------------|-----------|-----------|-----------|-----------|-----------|-----------|
| <b>Albania</b>                |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Andorra</b>                |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Armenia</b>                |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Austria</b>                |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Azerbaijan</b>             |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Belgium</b>                | 18/06/2009       |                     |                         |              |           |           |           |           |           |           |
| <b>Bosnia and Herzegovina</b> | 01/09/2010       | 31/01/2012          |                         |              |           |           |           |           |           |           |
| <b>Bulgaria</b>               |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Croatia</b>                |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Cyprus</b>                 |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Czech Republic</b>         |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Denmark</b>                |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Estonia</b>                | 18/06/2009       | 28/01/2016          |                         |              |           |           |           |           |           |           |
| <b>Finland</b>                | 18/06/2009       | 05/02/2015          |                         |              |           |           |           |           |           |           |
| <b>France</b>                 |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Georgia</b>                | 18/06/2009       |                     |                         |              |           |           |           |           |           |           |
| <b>Germany</b>                |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Greece</b>                 |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Hungary</b>                | 18/06/2009       | 05/01/2010          |                         |              |           | D.        |           |           |           |           |
| <b>Iceland</b>                |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Ireland</b>                |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Italy</b>                  |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Latvia</b>                 |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Liechtenstein</b>          |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Lithuania</b>              | 18/06/2009       | 26/07/2012          |                         |              |           | D.        |           |           |           |           |
| <b>Luxembourg</b>             |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Malta</b>                  |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Monaco</b>                 |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Montenegro</b>             | 18/06/2009       | 23/01/2012          |                         |              |           |           |           |           |           |           |
| <b>Netherlands</b>            |                  |                     |                         |              |           |           |           |           |           |           |
| <b>Norway</b>                 | 18/06/2009       | 11/09/2009          |                         |              |           | D.        |           |           |           |           |

|   | Signature  | Ratification | Entry into Force | Notes | R. | D. | A. | T. | C. | O. |
|---|------------|--------------|------------------|-------|----|----|----|----|----|----|
| Poland                                      |            |              |                  |       |    |    |    |    |    |    |
| Portugal                                    |            |              |                  |       |    |    |    |    |    |    |
| Republic of Moldova                         | 21/12/2010 | 02/09/2016   |                  |       |    |    |    |    |    |    |
| Romania                                     |            |              |                  |       |    |    |    |    |    |    |
| Russian Federation                          |            |              |                  |       |    |    |    |    |    |    |
| San Marino                                  |            |              |                  |       |    |    |    |    |    |    |
| Serbia                                      | 18/06/2009 |              |                  |       |    |    |    |    |    |    |
| Slovak Republic                             |            |              |                  |       |    |    |    |    |    |    |
| Slovenia                                    | 18/06/2009 |              |                  |       |    |    |    |    |    |    |
| Spain                                       |            |              |                  |       |    |    |    |    |    |    |
| Sweden                                      | 18/06/2009 | 19/04/2010   |                  |       | R. |    |    |    |    |    |
| Switzerland                                 |            |              |                  |       |    |    |    |    |    |    |
| "The former Yugoslav Republic of Macedonia" | 19/06/2009 |              |                  |       |    |    |    |    |    |    |
| Turkey                                      |            |              |                  |       |    |    |    |    |    |    |
| Ukraine                                     |            |              |                  |       |    |    |    |    |    |    |
| United Kingdom                              |            |              |                  |       |    |    |    |    |    |    |

**Notes:** a: Accession - s: Signature without reservation as to ratification - su: Succession - r: Signature "ad referendum". R.: Reservations - D.: Declarations - A.: Authorities - T.: Territorial Application - C.: Communication - O.: Objection.

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