

## MODEL RESPONSES TO SPECIFIC RESERVATIONS

(to be signed by the Ministry for Foreign Affairs,  
by the Permanent Representation to the Council of Europe  
or a diplomatic representative  
who shall be given specific powers to this effect)

*(extract from Recommendation (99)13 adopted by the Committee of Ministers  
on 18 May 1999, at the 670th meeting of the Ministers' Deputies)*

### OBJECTION

---

The Ministry for Foreign Affairs of [name of State] / The Permanent Representation of [name of State] to the Council of Europe / The Embassy of [name of State] to [title] presents its compliments to the Secretary General of the Council of Europe and has the honour to notify the following.

#### *Initial statement*

The Government of (State X) has examined the reservations made by the Government of (State Y) at the time of its ratification of / accession to the (relevant Convention) in respect of Articles (x y z).

The Government of (State X) is of the view that the reservations in respect of Articles (x y z) raise doubts as to the full commitment of (State Y) to the object and purpose of the (relevant Convention) and would like to recall that, according to (Article (xx) of the (relevant Convention/article 19(c) of the Vienna Convention on the Law of the Treaties), a reservation incompatible with the object and purpose of the present Convention shall not be permitted.

#### *Additional statements - examples*

It is the common interest of States that treaties to which they have chosen to become Parties are respected, as to their object and purpose, by all Parties and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.

#### *Concluding statement - alternatives as examples*

a) The Government of (State X) therefore objects to the aforesaid reservations made by the Government of (State Y) to the (relevant Convention). (State X remains silent as to whether the relevant Convention enters into force or not between State X and State Y).

b) The Government of (State X) therefore objects to the aforesaid reservations made by the Government of (State Y) to the (relevant Convention). This objection does not preclude the entry into force of the Convention between (State Y) and (State X).

c) The Government of (State X) therefore objects to the aforesaid reservations made by the Government of (State Y) to the (relevant Convention). This objection does not preclude the entry into force, in its entirety, of the Convention between (State Y) and (State X).

d) The Government of (State X) therefore objects to the aforesaid reservations made by the Government of (State Y) to the (relevant Convention). This objection does not preclude the entry into force, in its entirety, of the Convention between (State Y) and (State X). The Convention thus becomes operative between (State X) and (State Y) without (State Y) benefiting from these reservations.

e) The Government of (State X) therefore objects to the aforesaid reservations made by the Government of (State Y) to the (relevant Convention). This objection precludes the entry into force of the Convention between (State Y) and (State X).

The Ministry of Foreign Affairs of [name of State] / The Permanent Representation of [name of State] to the Council of Europe / The Embassy of [name of State] to [title] avails itself of this opportunity to reiterate to the Secretary General of the Council of Europe the assurance of its high consideration.

[place, date and seal]