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ON PUBLIC INTERNATIONAL LAW
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**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

RESERVATIONS AND DECLARATIONS TO COUNCIL OF EUROPE TREATIES

1. CONVENTION ON THE PROTECTION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (ETS No. 5), 4 NOVEMBER 1950¹

Finland, 16 May 2001, 15 June 2001, 14 June 2002

"Whereas the instrument of ratification contained a reservation to Article 6, paragraph 1, of the Convention, whereas after partial withdrawals of the reservation on 20 December 1996, 30 April 1998 and 1 April 1999, the reservation reads 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 Water Courts when conducted in accordance with Chapter 16, Section 14 of the Water Act;

and proceedings before the Supreme Court in accordance with Chapter 30, Section 20, of the Code of Judicial Procedure and 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 if 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;

and the consideration of criminal cases before the Supreme Court and the Courts of Appeal if the case has 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;

2. the consideration by a County Administrative Court or the Supreme Administrative Court of an appeal on a submission from a decision given before the entry into force of the Act on Administrative Judicial Procedure on 1 December 1996, as well as of consideration of an appeal on such a matter in a superior appellate authority;

3. proceedings, which are held before the Insurance Court as the Court of Final Instance, in accordance with Section 9 of the Insurance Court Act, if they concern an appeal which has become pending before the entry into force of the Act Amending the Insurance Court Act on 1 April 1999;

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

¹ *Relevant provisions :*

Article 57 – Reservations

1 Any State may, when signing this Convention or when depositing its instrument of ratification, make a reservation in respect of any particular provision of the Convention to the extent that any law then in force in its territory is not in conformity with the provision. Reservations of a general character shall not be permitted under this article.

2 Any reservation made under this article shall contain a brief statement of the law concerned.

they concern an appeal which has become pending before the entry into force of the Act Amending the Health Insurance Act on 1 April 1999."

Whereas the relevant provisions of the Finnish legislation have been amended so as they no longer correspond to the present reservation as far as they concern proceedings before the Water Courts and the Water Court of Appeal, and as the present reservation concerning the proceedings before the County Administrative Courts and the Supreme Administrative Court is no longer relevant,

Now therefore Finland withdraws the reservation in paragraph 1 above, as far as it concerns proceedings before the Water Courts and before the Water Court of Appeal. Finland also withdraws the reservation in paragraph 2 above concerning proceedings before the County Administrative Courts and the Supreme Administrative Court

APPENDIX INCLUDING A SUMMARY OF THE RESPECTIVE LAWS REFERRED TO IN THE PARTIAL WITHDRAWAL OF RESERVATIONS

The Water Court of Appeal was abolished by the Administrative Courts Act (430/1999) which entered into force on 1 November 1999. The Water Court of Appeal was merged with the Vaasa County Administrative Court, and the new court is called the Vaasa Administrative Court.

Chapter 15 of the Water Act, concerning the water courts, was repealed by the Act on the Amendment of the Water Act (88/2000) which entered into force on 1 March 2000, being part of a reform of the Finnish environmental legislation. The water courts were abolished and replaced by three environmental permit authorities.

According to Section 11 (1) of the Act on the Implementation of Environmental Legislation, the cases pending before the water courts were transferred to the environmental permit authorities insofar as petitions and requests for executive assistance referred to in the Water Act were concerned, appeal cases were transferred to the Vaasa Administrative Court and criminal cases to the competent district courts. As regards civil cases, the water courts were to decide which of them would still be considered as civil cases and which ones could be converted into petition cases to be handled by the environmental permit authorities. According to Section 17 of the Act on the Implementation of Environmental Legislation, also the Vaasa Administrative Court was to transfer the pending civil and criminal cases to the competent courts of appeal, applying, where appropriate, Section 11 (2) of the same Act to the civil cases.

Because there no longer are any provisions on the consideration of civil cases in the Water Act, and nor does the Act on the Implementation of Environmental Legislation contain separate provisions on the application of the earlier legislation to cases which have been brought before a water court or the Water Court of Appeal as a civil case and the consideration of which shall continue before another competent court as a civil case, the transferred cases shall be covered by the procedural rules existing at the time of transfer. Therefore it is no longer possible that the transferred civil cases could become subject to one of the procedures in respect of which the reservation to the Convention was made.

The reservation made in respect of proceedings before Water Courts when conducted in accordance with Chapter 16, Section 14 of the Water Act, concerning the holding of an oral hearing in a petition case after inspection, may also be withdrawn as a result of the reform of the environmental

legislation. According to Chapter 16, Section 14 of the Act on the Amendment of the Water Act, the competent authorities for the consideration of petitions are the environmental permit authorities. The reservation made to Article 6 of the Convention only concerned the administrative judicial procedure applied to administrative courts and not the administrative procedure applied to other authorities.

The transitional provision concerning civil and criminal cases before the water courts may be withdrawn as there are no longer such pending cases to which the provisions of the Code of Judicial Procedure, which were in force before the Act on the Amendment of the Code of Judicial Procedure entered into force on 1 May 1998, could be applied.

According to the transitional provision in Section 82 of the Administrative Judicial Procedure Act, the Act shall not be applied to appeals or submissions made in respect of decisions given before the entry into force of the Act, nor to the consideration of such cases by a superior appellate authority on account of appeal. There are hardly any appeal cases pending before the administrative courts and the Supreme Administrative Court, where the decision subject to appeal has been given before the entry into force of the Administrative Judicial Procedure Act on 1 December 1996."

Note by the Secretariat : The statements constitute withdrawals of reservations.

2. CONVENTION FOR THE PROTECTION OF INDIVIDUALS WITH REGARD TO AUTOMATIC PROCESSING OF PERSONAL DATA (ETS No. 108), 28 JANUARY 1981²

Latvia, 30 May 2001, 15 June 2001, 14 June 2002

"In accordance with Article 3, paragraph 2, sub-paragraph a, of the Convention, the Republic of Latvia declares that it will not apply the above-said Convention to the following categories of automated personal data files :

1. which are subject to State secret;
2. which are processed by public institutions for the purposes of national security and criminal law.

Note by the Secretariat : The declaration has been formulated in accordance with the relevant provisions.

² *Relevant provisions :*

Article 3 – Scope

1 The Parties undertake to apply this convention to automated personal data files and automatic processing of personal data in the public and private sectors.

2 Any State may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, or at any later time, give notice by a declaration addressed to the Secretary General of the Council of Europe:

- a that it will not apply this convention to certain categories of automated personal data files, a list of which will be deposited. In this list it shall not include, however, categories of automated data files subject under its domestic law to data protection provisions. Consequently, it shall amend this list by a new declaration whenever additional categories of automated personal data files are subjected to data protection provisions under its domestic law;

3. EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES (ETS No. 148), 5 NOVEMBER 1992³

Austria, 28 June 2001, 16 July 2001, 15 July 2002

"Austria declares that minority languages within the meaning of the Charter in the Republic of Austria shall be the Burgenlandcroatian, the Slovenian, the Hungarian, the Czech, the Slovakian languages and the Romany language of the Austrian Roma minority.

Pursuant to Article 3, paragraph 1, of the Charter, the Republic of Austria shall specify the minority languages to which the provisions selected pursuant to Article 2, paragraph 3, of the Charter shall apply upon the entry into force of the Charter in the Republic of Austria :

Burgenlandcroatian in the Burgenlandcroatian language area in the Land Burgenland :

Article 8, paragraph 1 a ii; b ii; c iii; d iv; e iii; f iii; g; h; i; paragraph 2;

Article 9, paragraph 1 a ii and iii, b ii and iii; c ii and iii; d; paragraph 2 a;

Article 10, paragraph 1 a iii, c; paragraph 2 b and d; paragraph 4 a; paragraph 5;

Article 11, paragraph 1 b ii; c ii; d; e i; f ii; paragraph 2;

Article 12, paragraph 1 a, d; paragraph 2; paragraph 3;

Article 13, paragraph 1 d;

³ *Relevant provisions :*

Article 2 – Undertakings

1 Each Party undertakes to apply the provisions of Part II to all the regional or minority languages spoken within its territory and which comply with the definition in Article 1.

2 In respect of each language specified at the time of ratification, acceptance or approval, in accordance with Article 3, each Party undertakes to apply a minimum of thirty-five paragraphs or subparagraphs chosen from among the provisions of Part III of the Charter, including at least three chosen from each of the Articles 8 and 12 and one from each of the Articles 9, 10, 11 and 13.

Article 3 – Practical arrangements

1 Each Contracting State shall specify in its instrument of ratification, acceptance or approval, each regional or minority language, or official language which is less widely used on the whole or part of its territory, to which the paragraphs chosen in accordance with Article 2, paragraph 2, shall apply.

2 Any Party may, at any subsequent time, notify the Secretary General that it accepts the obligations arising out of the provisions of any other paragraph of the Charter not already specified in its instrument of ratification, acceptance or approval, or that it will apply paragraph 1 of the present article to other regional or minority languages, or to other official languages which are less widely used on the whole or part of its territory.

3 The undertakings referred to in the foregoing paragraph shall be deemed to form an integral part of the ratification, acceptance or approval and will have the same effect as from their date of notification.

Article 4 – Existing regimes of protection

1 Nothing in this Charter shall be construed as limiting or derogating from any of the rights guaranteed by the European Convention on Human Rights.

2 The provisions of this Charter shall not affect any more favourable provisions concerning the status of regional or minority languages, or the legal regime of persons belonging to minorities which may exist in a Party or are provided for by relevant bilateral or multilateral international agreements.

Article 7 – Objectives and principles

(...)

5 The Parties undertake to apply, *mutatis mutandis*, the principles listed in paragraphs 1 to 4 above to non-territorial languages. However, as far as these languages are concerned, the nature and scope of the measures to be taken to give effect to this Charter shall be determined in a flexible manner, bearing in mind the needs and wishes, and respecting the traditions and characteristics, of the groups which use the languages concerned.

Article 14 b.

Slovenian in the Slovenian language area in the Land Carinthia :

Article 8, paragraph 1 a iv; b ii; c iii; d iv; e iii; f iii; g; h; i; paragraph 2;

Article 9, paragraph 1 a ii and iii, b ii and iii; c ii and iii; d; paragraph 2 a;

Article 10, paragraph 1 a iii, c; paragraph 2 b and d; paragraph 4 a; paragraph 5;

Article 11, paragraph 1 b ii; c ii; d; e i; f ii; paragraph 2;

Article 12, paragraph 1 a, d; f; paragraph 2; paragraph 3;

Article 13, paragraph 1 d;

Article 14 b.

Hungarian in the Hungarian language area in the Land Burgenland :

Article 8, paragraph 1 a ii; b ii; c iii; d iv; e iii; f iii; g; h; i; paragraph 2;

Article 9, paragraph 1 a ii and iii, b ii and iii; c ii and iii; d; paragraph 2 a;

Article 10, paragraph 1 a iii, c; paragraph 2 b and d; paragraph 4 a; paragraph 5;

Article 11, paragraph 1 b ii; c ii; d; e i; f ii; paragraph 2;

Article 12, paragraph 1 a and d; paragraph 2; paragraph 3;

Article 13, paragraph 1 d;

Article 14 b.

The separate specification of these provisions for the territories of each individual Land is in keeping with the federal structure of the Republic of Austria and takes into account the situation of each of these languages in the Land in question.

Part II of the Charter shall be applied to the Burgenlandcroatian, the Slovenian, the Hungarian, the Czech, the Slovakian languages and the Romany language of the Austrian Roma minority upon its entry into force in the Republic of Austria. The objectives and principles laid down in Article 7 of the Charter shall form the bases with regard to these languages. At the same time, Austrian law and established administrative practice thus meet individual requirements laid down in Part III of the Charter.

With regard to Czech in the Land Vienna :

Article 8, paragraph 1 a iv;

Article 11, paragraph 1 d; f ii; paragraph 2;

Article 12, paragraph 1 a and d; paragraph 3;

Article 14 b.

With regard to Slovakian in the Land Vienna :

Article 8, paragraph 1 a iv;

Article 11, paragraph 1 d; f ii; paragraph 2;

Article 12, paragraph 1 a and d; paragraph 3;

Article 14 b.

With regard to Romany in the Land Burgenland :

Article 8, paragraph 1 f iii;

Article 11, paragraph 1 b ii; d; f ii;

Article 12, paragraph 1 a and d; paragraph 3;

Article 14 b.

With regard to Slovenian in the Land Styria :

Article 8, paragraph 1 a iv; e iii; f iii;

Article 11, paragraph 1 d; e i; f ii; paragraph 2;

Article 12, paragraph 1 a and d; paragraph 2; paragraph 3;

Article 13, paragraph 1 d;

Article 14 b.

With regard to Hungarian in the Land Vienna :

Article 8, paragraph 1 a iv; e iii; f iii;

Article 11, paragraph 1 d; e i; f ii;

Article 12, paragraph 1 a and d; paragraph 2; paragraph 3;

Article 13, paragraph 1 d;

Article 14 b.

The separate specification of these provisions for the territory of each individual Land is in keeping with the federal structure of the Republic of Austria and takes into account the situation of each of these languages in the Land in question.

In accordance with the national distribution competencies, the way in which the above-mentioned provisions of Part III are implemented through legal regulations and Austria's administrative practice with due regard to the objectives and principles specified in Article 7 of the Charter shall be the responsibility of either the Federation or the competent Land."

Note by the Secretariat : The declarations have been formulated in accordance with the relevant provisions.

Spain, 9 April 2001, 23 May 2001, 22 May 2002

"Spain declares that, for the purposes of the mentioned articles, are considered as regional or minority languages, the languages recognised as official languages in the Statutes of Autonomy of the Autonomous Communities of the Basque Country, Catalonia, Balearic Islands, Galicia, Valencia and Navarra.

For the same purposes, Spain also declares that the languages protected by the Statutes of Autonomy in the territories where they are traditionally spoken are also considered as regional or minority languages.

The following provisions of the Part III of the Charter will apply to the languages mentioned in the first paragraph:

Article 8:

- paragraph 1 sub-paragraphs a(i), b(i), c(i), d(i), e(iii), f(i), g, h, i.
- paragraph 2.

Article 9:

- paragraph 1, sub-paragraphs a(i), a(ii), a(iii), a(iv), b(i), b(ii), b(iii), c(i), c(ii), c(iii), d.
- paragraph 2, sub-paragraph a.
- paragraph 3.

Article 10:

- paragraph 1, sub-paragraphs a(i), b, c.
- paragraph 2, sub-paragraphs a, b c, d, e, f, g.
- paragraph 3, sub-paragraphs a, b.

- paragraph 4, sub-paragraphs a, b, c.
- paragraph 5.

Article 11:

- paragraph 1, sub-paragraphs a(i), b(i), c(i), d, e(i), f(ii), g.
- paragraph 2.
- paragraph 3.

Article 12:

- paragraph 1, sub-paragraphs a, b, c, d, e, f, g, h.
- paragraph 2.
- paragraph 3.

Article 13:

- paragraph 1, sub-paragraphs a, b, c, d.
- paragraph 2, sub-paragraphs a, b, c, d, e.

Article 14:

- sub-paragraph a.
- sub-paragraph b.

All the provisions of Part III of the Charter, which can reasonably apply according to the objectives and principles laid down in Article 7, will apply to the languages mentioned in the second paragraph."

Note by the Secretariat : The declarations have been formulated in accordance with the relevant provisions.

United Kingdom, 27 March 2001, 10 April 2001, 9 April 2002

"a) The United Kingdom declares, in accordance with Article 2, paragraph 2 and Article 3, paragraph 1, of the Charter that it will apply the following provisions for the purposes of Part III of the Charter to Welsh, Scottish-Gaelic and Irish.

Welsh – 52 paragraphs

Article 8: Education

Paragraphs 1a (i) 1b (i) 1c (i) 1d(iv) 1e (iii) 1f (ii) 1g 1h 1i

Total: 9

Article 9: Judicial authorities

Paragraphs 1a (ii) 1a (iii) 1b (ii) 1b (iii) 1c (ii) 1c (iii) 1d 2b

Total: 8

Article 10: Administrative authorities and public services

Paragraphs 1a (i) 1b 1c 2a 2b 2c 2d 2e 2f 2g 3a 4a 4b 5

Total: 14

Article 11: Media

Paragraphs 1a (i) 1d 1e (i) 1f (ii) 2 3

Total: 6

Article 12: Cultural activities and facilities

Paragraphs 1a 1b 1c 1d 1e 1f 1g 1h 2 3

Total: 10

Article 13: Economic and social life

Paragraphs 1a 1c 2b 2c 2e

Total: 5

Scottish-Gaelic – 39 paragraphs

Article 8: Education

Paragraphs 1a (i) 1b (i) 1c (i) 1d(iv) 1e (iii) 1f (iii) 1g 1h 1i 2

Total: 10

Article 9: Judicial authorities

Paragraph 1b (iii)

Total: 1

Article 10: Administrative authorities and public services

Paragraphs 1c 2a 2b 2d 2e 2f 2g 5

Total: 8

Article 11: Media

Paragraphs 1a (ii) 1b (ii) 1c (ii) 1d 1e (ii) 1f (ii) 1g 2

Total: 8

Article 12: Cultural activities and facilities

Paragraphs 1a 1d 1e 1f 1g 1h 2 3

Total: 8

Article 13: Economic and social life

Paragraphs 1a 1c

Total: 2

Article 14: Transfrontier exchanges

Paragraphs a b

Total: 2

Irish – 30 paragraphs relating to matters which are the responsibility of the devolved administration in Northern Ireland

Article 8: Education

Paragraphs 1a (iii) 1b (iv) 1c (iv) 1d(iv) 1e (iii) 1f (ii) 1g 1h

Total: 8

Article 9: Judicial authorities

Paragraph 3

Total: 1

Article 10: Administrative authorities and public services

Paragraphs 1a (iv) 1c 2b 2e 2f 2g 3c 4a 5

Total: 9

Article 11: Media

Paragraphs 1d 1e (i) 1f (ii) 1g

Total: 4

Article 12: Cultural activities and facilities

Paragraphs 1a 1d 1e 1f 1h 2 3

Total: 7

Article 13: Economic and social life

Paragraph 1d

Total: 1

Irish – 6 paragraphs relating to matters which are the responsibility of the UK government in Northern Ireland

Article 8: Education

Paragraph 2

Total: 1

Article 11: Media

Paragraphs 1a (iii) 1b (ii) 2

Total: 3

Article 14: Transfrontier exchanges

Paragraphs a b

Total: 2

(Total of 36 paragraphs overall)

b) The United Kingdom declares, in accordance with Article 2, paragraph 1 of the Charter that it recognises that Scots and Ulster Scots meet the Charter's definition of a regional or minority language for the purposes of Part II of the Charter.

c) The United Kingdom declares that the Charter applies to mainland Britain and Northern Ireland."

Note by the Secretariat : The declarations have been formulated in accordance with the relevant provisions.

4. FRAMEWORK CONVENTION FOR THE PROTECTION OF NATIONAL MINORITIES (ETS No. 157), 1 FEBRUARY 1995

Belgium, 31 July 2001, 9 August 2001, 8 August 2002

"The Kingdom of Belgium declares that the Framework Convention applies without prejudice to the constitutional provisions, guarantees or principles, and without prejudice to the legislative rules which currently govern the use of languages. The Kingdom of Belgium declares that the notion of national minority will be defined by the inter-ministerial conference of foreign policy."

Note by the Secretariat : The Framework Convention contains no provisions relating to reservations or declarations. Reservations are allowed in as far as they are permitted by international law (paragraph 98 of the Explanatory Report to the Framework Convention).

5. EUROPEAN CONVENTION ON THE EXERCISE OF CHILDREN'S RIGHTS (ETS No. 160), 25 JANUARY 1996⁴

⁴ *Relevant provisions* :

Article 1 – Scope and object of the Convention

1 This Convention shall apply to children who have not reached the age of 18 years.

2 The object of the present Convention is, in the best interests of children, to promote their rights, to grant them procedural rights and to facilitate the exercise of these rights by ensuring that children are, themselves or through other persons or bodies, informed and allowed to participate in proceedings affecting them before a judicial authority.

3 For the purposes of this Convention proceedings before a judicial authority affecting children are family proceedings, in particular those involving the exercise of parental responsibilities such as residence and access to children.

4 Every State shall, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, by a declaration addressed to the Secretary General of the Council of Europe, specify at least three categories of family cases before a judicial authority to which this Convention is to apply.

Latvia, 30 May 2001, 15 June 2001, 14 June 2002

"In accordance with Article 1, paragraph 4, of the Convention, the Republic of Latvia declares that the categories of family cases before a judicial authority to which the said Convention is to apply are :

1. Divorce cases;
2. Cases concerning parental power;
3. Adoption cases;
4. Cases concerning conclusion of transactions related to children's assets;
5. Cases concerning child's separation from family;
6. Cases concerning the custody of children."

Note by the Secretariat : The declaration has been formulated in accordance with the relevant provisions.

6. EUROPEAN SOCIAL CHARTER (REVISED) (ETS No. 163), 3 MAY 1996⁵

Lithuania, 29 June 2001, 16 July 2001, 15 July 2002

⁵ *Relevant provisions* :

Article A – Undertakings

- 1 Subject to the provisions of Article B below, each of the Parties undertakes:
 - a to consider Part I of this Charter as a declaration of the aims which it will pursue by all appropriate means, as stated in the introductory paragraph of that part;
 - b to consider itself bound by at least six of the following nine articles of Part II of this Charter: Articles 1, 5, 6, 7, 12, 13, 16, 19 and 20;
 - c to consider itself bound by an additional number of articles or numbered paragraphs of Part II of the Charter which it may select, provided that the total number of articles or numbered paragraphs by which it is bound is not less than sixteen articles or sixty-three numbered paragraphs.
- 2 The articles or paragraphs selected in accordance with subparagraphs b and c of paragraph 1 of this article shall be notified to the Secretary General of the Council of Europe at the time when the instrument of ratification, acceptance or approval is deposited.

(...)

Article L –Territorial application

- 1 This Charter shall apply to the metropolitan territory of each Party. Each signatory may, at the time of signature or of the deposit of its instrument of ratification, acceptance or approval, specify, by declaration addressed to the Secretary General of the Council of Europe, the territory which shall be considered to be its metropolitan territory for this purpose.
- 2 Any signatory may, at the time of signature or of the deposit of its instrument of ratification, acceptance or approval, or at any time thereafter, declare by notification addressed to the Secretary General of the Council of Europe, that the Charter shall extend in whole or in part to a non-metropolitan territory or territories specified in the said declaration for whose international relations it is responsible or for which it assumes international responsibility. It shall specify in the declaration the articles or paragraphs of Part II of the Charter which it accepts as binding in respect of the territories named in the declaration.
- 3 The Charter shall extend its application to the territory or territories named in the aforesaid declaration as from the first day of the month following the expiration of a period of one month after the date of receipt of the notification of such declaration by the Secretary General.
- 4 Any Party may declare at a later date by notification addressed to the Secretary General of the Council of Europe that, in respect of one or more of the territories to which the Charter has been applied in accordance with paragraph 2 of this article, it accepts as binding any articles or any numbered paragraphs which it has not already accepted in respect of that territory or territories. Such undertakings subsequently given shall be deemed to be an integral part of the original declaration in respect of the territory concerned, and shall have the same effect as from the first day of the month following the expiration of a period of one month after the date of receipt of such notification by the Secretary General.

"The Republic of Lithuania declares that it considers itself bound by the provisions of the following Articles of the Charter: Articles 1-11 of Part II, sub-paragraphs 1, 3 and 4 of Article 12, sub-paragraphs 1-3 of Article 13, Articles 14-17, sub-paragraphs 1 and 4 of Article 18, sub-paragraphs 1, 3, 5, 7, 9-11 of Article 19, Articles 20-22, Articles 24-29 and sub-paragraphs 1 and 2 of Article 31."

Note by the Secretariat : The declaration complies with the relevant provisions.

Norway, 7 May 2001, 23 May 2001, 22 May 2002

"The Kingdom of Norway declares that it considers itself bound by Articles 1, 4-6, 9-17, 20-25, 30 and 31, as well as, moreover, by the provisions of Article 2, paragraphs 1-6, Article 3, paragraphs 2-3, Article 7, paragraphs 1-3, 5-8 and 10, Article 8, paragraphs 1 and 3, Article 19, paragraphs 1-7 and 9-12 and Article 27, paragraphs 1c and 2, of the Charter.

In conformity with Part VI, Article L, of the revised European Social Charter, the Norwegian Government declares that the metropolitan territory of Norway to which the provisions of the revised European Social Charter shall apply, shall be the territory of the Kingdom of Norway with the exception of Svalbard (Spitzbergen) and Jan Mayen. The revised European Social Charter shall not apply to the Norwegian dependencies."

Note by the Secretariat : The declarations comply with the relevant provisions.

7. EUROPEAN CONVENTION ON NATIONALITY (ETS No. 166), 6 NOVEMBER 1997⁶

⁶ *Relevant provisions* :

Article 7 – Loss of nationality *ex lege* or at the initiative of a State Party

(...)

2 A State Party may provide for the loss of its nationality by children whose parents lose that nationality except in cases covered by sub-paragraphs c and d of paragraph 1. However, children shall not lose that nationality if one of their parents retains it.

3 A State Party may not provide in its internal law for the loss of its nationality under paragraphs 1 and 2 of this article if the person concerned would thereby become stateless, with the exception of the cases mentioned in paragraph 1, sub-paragraph b, of this article.

Article 8 – Loss of nationality at the initiative of the individual

1 Each State Party shall permit the renunciation of its nationality provided the persons concerned do not thereby become stateless.

2 However, a State Party may provide in its internal law that renunciation may be effected only by nationals who are habitually resident abroad.

Article 22 – Exemption from military obligations or alternative civil service

Except where a special agreement which has been, or may be, concluded provides otherwise, the following provisions are also applicable to persons possessing the nationality of two or more States Parties:

(...)

b persons who are nationals of a State Party which does not require obligatory military service shall be considered as having satisfied their military obligations when they have their habitual residence in the territory of that State Party. Nevertheless, they should be deemed not to have satisfied their military obligations in relation to a State Party or States Parties of which they are equally nationals and where military service is required unless the said habitual residence has been maintained up to a certain age, which each State Party concerned shall notify at the time of signature or when depositing its instruments of ratification, acceptance or accession;

(...)

Netherlands, 21 March 2001, 23 March 2001, 22 March 2002

"The Kingdom of the Netherlands accepts the said Convention for the Kingdom in Europe, the Netherlands Antilles and Aruba.

With regard to Article 7, paragraph 2, of the Convention, the Kingdom of the Netherlands declares this provision to include the loss of the Dutch nationality by a child whose parents renounce the Dutch nationality as referred to in Article 8 of the Convention."

Note by the Secretariat : The declaration complies with the relevant provisions.

Sweden, 28 June 2001, 16 July 2001, 15 July 2002.

"The Government of Sweden declares that the age referred to in Article 22 b of the Convention is 30."

Note by the Secretariat : The declaration complies with the relevant provisions.

8. PROTOCOL No. 12 TO THE CONVENTION FOR THE PROTECTION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (ETS No. 177), 4 NOVEMBER 2000⁷

Georgia, 15 June 2001, Not notified yet

"Georgia declines its responsibility for the violations of the provisions of the Protocol on the territories of Abkhazia and Tskhinvali region until the full jurisdiction of Georgia is restored over these territories."

Note by the Secretariat : Georgia has formulated similar declarations with respect to the European Convention on Extradition (ETS No. 24) and its Additional Protocol (ETS No. 86), the European Convention on the Suppression of Terrorism (ETS No. 90) and the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (ETS No. 126).

Article 30 – Territorial application

1 Any State may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, specify the territory or territories to which this Convention shall apply.
(...)

⁷ *Relevant provisions* :

Article 3 – Relationship to the Convention

As between the States Parties, the provisions of Articles 1 and 2 of this Protocol shall be regarded as additional articles to the Convention, and all the provisions of the Convention shall apply accordingly.