



## **European Convention on Social and Medical Assistance**

Paris, 11.XII.1953

### **Annex IV – Interpretation of the terms "nationals" and "territory"**

*Updated on 17 April 2002 – this page is updated following each communication*

Paragraph 4 of Article 1 of the European Interim Agreements on Social Security (ETS No. 12 and ETS No. 13) and paragraph 1(b) of Article 2 of the Convention on Social and Medical Assistance (ETS No. 14) provide that the terms "nationals" and "territory" of a Contracting Party shall have the meaning assigned to them by such a party in a declaration addressed to the Secretary General of the Council of Europe for communication to other Contracting Parties.

The meanings assigned to these terms by the member Governments of the Council of Europe in the communications which they have addressed to the Secretary General are as follows.

#### **Belgium**

Nationals	Persons possessing Belgian nationality.
Territory	Belgian metropolitan territory, excluding the Belgian Congo and Ruanda-Urundi.

#### **Cyprus**

Nationals	Persons having at 1 December 1968 acquired or being entitled to acquire, citizenship of the Republic of Cyprus, in accordance with the provisions of Annex D to the Treaty of Establishment, or those who acquire that citizenship in accordance with the Republic's Nationality Act, 1967.
Territory	The territory of the Republic of Cyprus.

#### **Czech Republic**

Nationals	Citizens of the Czech Republic.
Territory	The territory of the Czech Republic.

#### **Denmark**

Nationals	Persons possessing Danish nationality.
Territory	Denmark itself, not including the Faroe Islands and Greenland. Nevertheless, consideration may be given later to the question of extending the application of the Agreements to these parts of the Kingdom.

#### **Estonia**

Nationals Estonian nationals.

Territory Territory under the jurisdiction of the Republic of Estonia.

**France**

Nationals All persons of French nationality, all nationals of the French Union, except those of the Association States, and all French protected persons.

Territory Metropolitan France and its overseas departments (Guadeloupe, French Guiana, Martinique and Réunion).

**Germany**

Nationals All Germans within the meaning of the Basic Law of the Federal Republic of Germany.

Territory Territory to which the Basic Law of the Federal Republic of Germany applies. The Federal Government reserves the right to notify the Secretary General of the Council of Europe that the application of the Agreements shall be extended to Land Berlin, and this notification shall be binding on the Contracting Parties as from the first day of the month following such notification.

**Greece**

Nationals Persons possessing Greek nationality and all holders of a valid Greek passport. Certain Greek nationals do not possess Greek passports owing to the fact that their papers of nationality are not in order or for some other reason. In these doubtful cases it would be advisable for the authorities of the Contracting Parties to consult the Greek diplomat or consular authorities, in accordance with the spirit of Article 15 of the Convention.

Territory All Greek territory, including the Greek islands, as defined by international treaties at present in force.

**Iceland**

Nationals All persons legally enjoying the right of Icelandic citizenship.

Territory The territory of Iceland including surrounding islands and territorial waters subject to Icelandic jurisdiction.

**Ireland**

Nationals Citizens of Ireland.

Territory That part of the national territory of the whole island of Ireland for the time being under the jurisdiction of the Government of Ireland.

**Italy**

Nationals All citizens of the State and all persons to whom the nationality laws of the State have been extended, including all stateless persons residing on the territory of the State.

Territory The national metropolitan territory.

**Latvia**

Nationals Citizens of the Republic of Latvia;  
Non-citizens of the Republic of Latvia who are subjects of the Law on the Status of Former USSR Citizens who are not Citizens of Latvia or any other State.

Territory All the territory of the Republic of Latvia which is in its jurisdiction in conformity with international law.

#### **Lithuania**

Nationals The physical persons who are citizens of the Republic of Lithuania as defined by the laws of the Republic of Lithuania.

Territory The territory of the Republic of Lithuania, including the territorial sea and any maritime or submarine area within which the Republic of Lithuania may exercise, in accordance with international law, rights for the purpose of exploration, exploitation and preservation of the sea-bed, sub-soil and natural resources.

#### **Luxembourg**

Nationals Persons of Luxembourg nationality.

Territory The territory of the Grand Duchy of Luxembourg.

#### **Netherlands**

Nationals Persons of Netherlands nationality.

Territory The territory of the Kingdom in Europe.

#### **Norway**

Nationals Persons of Norwegian nationality according to the Norwegian Nationality Act of 8th December 1950.

Territory The Kingdom of Norway, with the exception of Svalbard. The Agreements will not apply to the Svalbard (Spitzbergen) Archipelago, although these territories form a part of the Kingdom, owing to the fact that the Norwegian social security system has not been extended to the said territories.

#### **Portugal**

Nationals Persons of Portuguese nationality.

Territory The metropolitan territory of Portugal and the archipelagoes of the Azores and Madeira.

## **Spain**

Nationals      Concerning the term "national", the Spanish Constitution (Art. 11.1) provides that "Spanish nationality is acquired, maintained and lost in accordance with the provisions of the law".

"Nationals" or "Spanish" are therefore those persons which the Civil Code considers as such in its Articles 17 to 28, either by their origin or on the grounds expressly laid down by law.

Territory      Concerning the term "territory", reference must be made to the "Spanish territory" or to Spain as mentioned in Article 8 of the Civil Code.

The geographical and juridical determination of the Spanish territory is very complex and is made, not only by means of international treaties with neighbouring States, but also by means of other rules of international law (territorial sea, continental shelf, economic zone, air space, ships, etc.).

## **Sweden**

Nationals      Citizens of Sweden.

Territory      The territory of Sweden.

## **Turkey**

Nationals      Persons possessing Turkish nationality.

Territory      The territory under Turkish sovereignty.

## **United Kingdom of Great Britain and Northern Ireland**

Nationals      Citizens of the United Kingdom and Colonies.

Territory      England, Wales, Scotland, Northern Ireland and the Isle of Man, but not the Channel Islands or other territories for whose international relations the United Kingdom Government are responsible; nevertheless, consideration may be given later to the question of extending the application of the Agreements to the Channel Islands.