

CDDH(2018)07

last updated on 15/11/2018

STEERING COMMITTEE FOR HUMAN RIGHTS (CDDH)

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 4th meeting of the DH-SYSC (9-10 November 2017) and the 89th meeting of the CDDH (19-22 June 2018).¹
2. The document contains information on the following treaties:
 - Protocol No. 15 to the European Convention on Human Rights (Appendix I below);
 - Protocol No. 16 to the European Convention on Human Rights (Appendix II below);
 - European Agreement relating to persons participating in proceedings of the European Court of Human Rights (Appendix III below);
 - Council of Europe Convention on Access to Official Documents (Appendix IV below).

¹ It is recalled that, at its 84th meeting (7-11 December 2015, CDDH(2015)R84, § 10), the CDDH decided to entrust the DH-SYSC with the systematic follow-up on the prospects of signatures and ratifications of Protocols Nos. 15 and 16 to the Convention as well as the follow-up on the European Agreement relating to Persons Participating in Proceedings of the European Court of Human Rights and specified that, in addition to requests for information of experts concerned, awareness-raising actions could be envisaged to reach a higher number of signatures and ratifications of these instruments.

APPENDIX I

**Chart of signatures and ratifications
of Protocol No. 15 to the European Convention on Human Rights**

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 005

Opening for signature**Entry into force**

Place: Strasbourg
Date : 24/06/2013

Conditions: Ratification by Parties to Treaty ETS 005.
Date : //

Status as of: 15/11/2018 (as it appears on the Treaty Office website)

Total number of signatures not followed by ratifications	2
Total number of ratifications/accessions	45

Member States of the Council of Europe

	Signature	Ratification	Entry into Force	Notes	R.	D.	A.	T.	C.	O.
Albania	11/02/2014	17/12/2015								
Andorra	24/06/2013	27/05/2015								
Armenia	24/06/2013	30/08/2016								
Austria	25/06/2013	19/10/2017								
Azerbaijan	18/12/2013	03/07/2014								
Belgium	07/10/2013	04/04/2018								
Bosnia and Herzegovina	11/05/2018									
Bulgaria	05/11/2013	11/01/2016								
Croatia	12/07/2016	09/01/2018								
Cyprus	24/06/2013	16/06/2015								
Czech Republic	05/11/2013	18/03/2015								
Denmark	24/06/2013	22/07/2016						T.		
Estonia	22/10/2013	30/04/2014								
Finland	24/06/2013	17/04/2015								
France	24/06/2013	03/02/2016								
Georgia	19/06/2014	06/07/2015								
Germany	24/06/2013	15/04/2015								
Greece	02/03/2017	05/10/2018								
Hungary	09/07/2015	30/11/2015								
Iceland	09/07/2013	03/07/2017								
Ireland	24/06/2013	24/06/2013 s								
Italy	24/06/2013									
Latvia	09/05/2017	04/12/2017								
Liechtenstein	24/06/2013	26/11/2013								
Lithuania	10/06/2014	02/09/2015								
Luxembourg	24/06/2013	21/12/2017								
Malta	16/01/2018	16/01/2018								
Monaco	13/11/2013	13/11/2013								
Montenegro	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	20/09/2018				D.				
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	22/03/2018								
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, Denunciations, Derogations; A.: Authorities; T.: Territorial Application; C.: Communication; O.: Objection.

Information received by 15 November 2018 (*bilingual*)

<p align="center">BOSNIA AND HERZEGOVINA BOSNIE- HERZEGOVINE</p>	<p>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. Bosnia and Herzegovina signed Protocol No. 15 on 11 May 2018.</p>
<p align="center">ITALY / ITALIE</p>	<p>La loi de ratification des Protocoles n^{os} 15 et 16 est déjà adoptée par le Parlement et doit encore être soumise au Sénat.</p>

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APPENDIX II

**Chart of signatures and ratifications
of Protocol No. 16 to the European Convention on Human Rights**

Protocol No. 16 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 005

Opening for signature

Place: Strasbourg
Date : 02/10/2013

Entry into force

Conditions: 10 Ratifications.
Date : 01/08/2018

Status as of: 15/11/2018 (as it appears on the Treaty Office website)

Total number of signatures not followed by ratifications	12
Total number of ratifications/accessions	10

Member States of the Council of Europe

	Signature	Ratification	Entry into Force	Notes	R.	D.	A.	T.	C.	O.
Albania	24/11/2014	22/07/2015	01/08/2018				A.			
Andorra	12/04/2018									
Armenia	02/10/2013	31/01/2017	01/08/2018				A.			
Austria										
Azerbaijan										
Belgium	08/11/2018									
Bosnia and Herzegovina	11/05/2018									
Bulgaria										
Croatia										
Cyprus										
Czech Republic										
Denmark										
Estonia	17/02/2014	31/08/2017	01/08/2018				A.			
Finland	02/10/2013	07/12/2015	01/08/2018				A.			
France	02/10/2013	12/04/2018	01/08/2018				A.			
Georgia	19/06/2014	06/07/2015	01/08/2018				A.			
Germany										
Greece	02/03/2017									
Hungary										
Iceland										
Ireland										
Italy	02/10/2013									
Latvia										

	Signature	Ratification	Entry into Force	Notes	R.	D.	A.	T.	C.	O.
Liechtenstein										
Lithuania	10/06/2014	02/09/2015	01/08/2018				A.			
Luxembourg	06/09/2018									
Malta										
Monaco										
Montenegro										
Netherlands	07/11/2013									
Norway	27/06/2014									
Poland										
Portugal										
Republic of Moldova	03/03/2017									
Romania	14/10/2014						A.			
Russian Federation										
San Marino	02/10/2013	16/02/2015	01/08/2018				A.			
Serbia										
Slovak Republic	02/10/2013									
Slovenia	02/10/2013	26/03/2015	01/08/2018				A.			
Spain										
Sweden										
Switzerland										
"The former Yugoslav Republic of Macedonia"										
Turkey	20/12/2013									
Ukraine	20/06/2014	22/03/2018	01/08/2018				A.			
United Kingdom										

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, Denunciations, Derogations; A.: Authorities; T.: Territorial Application; C.: Communication; O.: Objection.

Information received by 15 November 2018 (*bilingual*)

ANDORRA / ANDORRE	Andorra signed Protocol No. 16 on 12 April 2018.
AUSTRIA / AUTRICHE	No information available.
AZERBAIJAN / AZERBAIDJAN	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.
BOSNIA AND HERZEGOVINA / BOSNIE-HERZEGOVINE	Protocol No. 16 was signed on 11 May 2018.
BULGARIA / BULGARIE	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.
CROATIA / CROATIE	Croatia is not considering the signature of Protocol No. 16 at this stage.
CYPRUS / CHYPRE	Cyprus has neither signed nor ratified Protocol No. 16 and does not intend to do so for the time being, mainly due to the judiciary's concerns.
CZECH REPUBLIC / REPUBLIQUE TCHEQUE	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.
DENMARK / DANEMARK	The Danish government has no concrete plans to ratify Protocol No. 16 at this stage.
GERMANY / ALLEMAGNE	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.
GREECE / GRECE	La Grèce a signé le Protocole n° 16 le 2 mars 2017. La finalisation de la ratification n'est pas encore envisageable.
HUNGARY / HONGRIE	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.
ICELAND / ISLANDE	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.
IRELAND / IRLANDE	Currently no steps have been taken towards the ratification of Protocol No. 16. Ireland wishes to see how it will work in practice; it has concerns about the Protocol's impact on the caseload of the Court.
ITALY / ITALIE	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 nos 15 et 16 est déjà adoptée par le Parlement et doit encore être soumise au Sénat.
LATVIA / LETTONIE	The courts are still very hesitant. The signature of Protocol No. 16 is still under consideration.

LIECHTENSTEIN	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.
MALTA / MALTE	No information available.
MONACO	Aucune décision n'a encore été prise sur une éventuelle signature et ratification.
MONTENEGRO	This issue is under consideration in domestic law.
NETHERLANDS / PAYS-BAS	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.
NORWAY / NORVEGE	Protocol No. 16 was 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.
POLAND / POLOGNE	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, 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.
PORTUGAL	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.
REPUBLIC OF MOLDOVA/ REPUBLIQUE DE MOLDOVA	Protocol No. 16 was signed on 3 March 2017.
ROMANIA / ROUMANIE	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.
RUSSIAN FEDERATION / FEDERATION DE RUSSIE	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.
SERBIA / SERBIE	The signature of Protocol No. 16 is still under consideration.

SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUE	Le Protocole n° 16 a été signé le 2 octobre 2013. Le Protocole 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.
SPAIN / ESPAGNE	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.
SWEDEN / SUEDE	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.
SWITZERLAND / SUISSE	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.
"THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA" / "L'EX-RÉPUBLIQUE YUGOSLAVE DE MACÉDOINE"	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.
TURKEY / TURQUIE	Le Protocole a été signé le 20 décembre 2013. Le processus de ratification est encore en cours.
UNITED KINGDOM / ROYAUME- UNI	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.

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APPENDIX III

**Chart of signatures and ratifications
of the 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 : 05/03/1996

Entry into force

Conditions: 10 Ratifications.

Date : 01/01/1999

Status as of: 15/11/2018 (as it appears on the Treaty Office website)

Total number of signatures not followed by ratifications	1
Total number of ratifications/accessions	40

Member States of the Council of Europe

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

	Signature	Ratification	Entry into Force	Notes	R.	D.	A.	T.	C.	O.
Netherlands	02/05/1996	21/01/1997	01/01/1999					T.		
Norway	12/12/2001	12/12/2001 s	01/02/2002							
Poland	02/04/2008	06/12/2012	01/02/2013		R.	D.				
Portugal	29/04/1997	11/04/2018	01/06/2018							
Republic of Moldova	04/05/1998	08/11/2001	01/01/2002		R.	D.				
Romania	28/05/1998	09/04/1999	01/06/1999							
Russian Federation										
San Marino	07/09/1998	28/08/2015	01/10/2015							
Serbia										
Slovak Republic	04/09/2002	21/05/2003	01/07/2003			D.				
Slovenia	07/05/1999	29/11/2001	01/01/2002							
Spain	24/01/2000	19/01/2001	01/03/2001			D.				
Sweden	30/04/1996	30/09/1998	01/01/1999							
Switzerland	27/08/1998	27/08/1998 s	01/01/1999			D.				
“The former Yugoslav Republic of Macedonia”	16/11/1998									
Turkey	03/07/2002	06/10/2004	01/12/2004			D.				
Ukraine	22/05/2003	04/11/2004	01/01/2005							
United Kingdom	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, Denunciations, Derogations; A.: Authorities; T.: Territorial Application; C.: Communication; O.: Objection.

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 : 18/06/2009

Entry into force

Conditions: 10 Ratifications.
Date : //

Status as of: 15/11/2018 (as it appears on the Treaty Office website)

Total number of signatures not followed by ratifications	6
Total number of ratifications/accessions	9

Member States of the Council of Europe

	Signature	Ratification	Entry into Force	Notes	R.	D.	A.	T.	C.	O.
Albania										
Andorra										
Armenia										
Austria										
Azerbaijan										
Belgium	18/06/2009									
Bosnia and Herzegovina	01/09/2010	31/01/2012								
Bulgaria										
Croatia										
Cyprus										
Czech Republic										
Denmark										
Estonia	18/06/2009	28/01/2016								
Finland	18/06/2009	05/02/2015								
France										
Georgia	18/06/2009									
Germany										
Greece										
Hungary	18/06/2009	05/01/2010				D.				
Iceland										
Ireland										
Italy										
Latvia										
Liechtenstein										
Lithuania	18/06/2009	26/07/2012				D.				
Luxembourg										
Malta										
Monaco										
Montenegro	18/06/2009	23/01/2012								
Netherlands										
Norway	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”	18/06/2009									
Turkey										
Ukraine	12/04/2018									
United Kingdom										

Notes:

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

R.: Reservations; D.: Declarations, Denunciations, Derogations; A.: Authorities; T.: Territorial Application; C.: Communication; O.: Objection.

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