

RESERVATIONS AND DECLARATIONS RELATING TO THE CONVENTION ON THE RIGHTS OF THE CHILD

- **Andorra**

Declaration:

A. The Principality of Andorra deplors the fact that the Convention on the Rights of the Child does not prohibit the use of children in armed conflicts. It also disagrees with the provisions of article 38, paragraphs 2 and 3, concerning the participation and recruitment of children from the age of 15.

B. The Principality of Andorra will apply the provisions of articles 7 and 8 of the Convention without prejudice to the provisions of part II, article 7, of the Constitution of the Principality of Andorra, concerning Andorran nationality.

Article 7 of the Constitution of the Principality of Andorra provides that:

A Llei Qualificada shall determine the rules pertaining to the acquisition and loss of nationality and the legal consequences thereof.

Acquisition or retention of a nationality other than Andorran nationality shall result in the loss of the latter in accordance with the conditions and limits established by law.

- **Austria**

Reservations:

1. Article 13 and article 15 of the Convention will be applied provided that they will not affect legal restrictions in accordance with article 10 and article 11 of the European Convention on the Protection of Human Rights and Fundamental Freedoms of 4 November 1950.

2. Article 17 will be applied to the extent that it is compatible with the basic rights of others, in particular with the basic rights of freedom of information and freedom of press.

Declarations:

1. Austria will not make any use of the possibility provided for in article 38, paragraph 2, to determine an age limit of 15 years for taking part in hostilities as this rule is incompatible with article 3, paragraph 1, which determines that the best interests of the child shall be a primary consideration.

2. Austria declares, in accordance with its constitutional law, to apply article 38, paragraph 3, provided that only male Austrian citizens are subject to compulsory military service.

- **Belgium**

Interpretative Declaration:

With regard to article 2, paragraph 1, according to the interpretation of the Belgian Government non-discrimination on grounds of national origin does not necessarily imply the obligation for States automatically to guarantee foreigners the same rights as their nationals. This concept should be understood as designed to rule out all arbitrary conduct but not differences in treatment based on objective and reasonable considerations, in accordance with the principles prevailing in democratic societies.

Articles 13 and 15 shall be applied by the Belgian Government within the context of the provisions and limitations set forth or authorized by the said Convention in articles 10 and 11 of the European Convention for the Protection of Human Rights and Fundamental Freedoms of 4 November 1950.

The Belgian Government declares that it interprets article 14, paragraph 1, as meaning that, in accordance with the relevant provisions of article 18 of the International Covenant on Civil and Political Rights of 19 December 1966 and article 9 of the European Convention for the Protection of Human Rights and Fundamental Freedoms of 4 November 1950, the right of the child to freedom of thought, conscience and religion implies also the freedom to choose his or her religion or belief.

With regard to article 40, paragraph 2 (b) (v), the Belgian Government considers that the expression "according to law" at the end of that provision means that:

(a) This provision shall not apply to minors who, under Belgian law, are declared guilty and are sentenced in a higher court following an appeal against their acquittal in a court of first instance;

(b) This provision shall not apply to minors who, under Belgian law, are referred directly to a higher court such as the Court of Assize.

- **Bosnia and Herzegovina**

Reservation:

The Republic of Bosnia and Herzegovina reserves the right not to apply paragraph 1 of article 9 of the Convention since the internal legislation of the Republic of Bosnia and Herzegovina provides for the right of the competent authorities (guardianship authorities) to determine on separation of a child from his/her parents without a previous judicial review.

- **Croatia**

Reservation: (Upon Succession)

The Republic of Croatia reserves the right not to apply paragraph 1 of article 9 of the Convention since the internal legislation of the Republic of Croatia provides for the right of competent authorities (Centres for Social Work) to determine on separation of a child from his/her parents without a previous judicial review.

Withdrawal: On 26 May 1998, the government of Croatia notified the Secretary-General of its decision to withdraw the reservation made upon succession with respect to paragraph 1 of article 9.

- **Czech Republic**

Interpretation:

The Government of the Czech Republic interprets the provision of article 7, paragraph 1, of the Convention as follows:

In cases of irrevocable adoptions, which are based on the principle of anonymity of such adoptions, and of artificial fertilization, where the physician charged with the operation is required to ensure that the husband and wife, on the one hand, and the donor, on the other, remain unknown to each other, the non-communication of a natural parent's name or natural parents' names to the child is not in contradiction with this provision.

- **Denmark**

Declaration: (Upon Ratification)

Until further notice the Convention shall not apply to Greenland and the Faeroe Islands.

Withdrawal: On 11 May 1993, the Government of Denmark notified the Secretary-General of its decision to withdraw its reservation, made upon ratification, according to which the Convention should not until further notice apply to Greenland and the Faeroe Islands.

Reservation:

Article 40, paragraph 2 (b) (v), shall not be binding on Denmark:

It is a fundamental principle in the Danish Administration of Justice Act that everybody shall be entitled to have any penal measures imposed on him or her by a court of first instance reviewed by a higher court. There are, however, some provisions limiting this right in certain cases, for instance verdicts returned by a jury on the question of guilt, which have not been reversed by the legally trained judges of the court.

- **France**

Declaration: (Upon signature and confirmed upon ratification)

The Government of the French Republic declares that this Convention, particularly article 6, cannot be interpreted as constituting any obstacle to the implementation of the provisions of French legislation relating to the voluntary interruption of pregnancy.

The Government of the Republic declares that, in the light of article 2 of the Constitution of the French Republic, article 30 is not applicable insofar as the Republic is concerned.

Reservation

The Government of the Republic construes article 40, paragraph 2 (b) (v), as establishing a general principle to which limited exceptions may be made under law. This is particularly the case for certain non-appealable offences tried by the Police Court and for offences of a criminal nature. Nonetheless, the decisions handed down by the final court of jurisdiction may be appealed before the Court of Cassation, which shall rule on the legality of the decision taken.

- Germany

Upon signature

The Government of the Federal Republic of Germany reserves the right to make, upon ratification, such declarations as it considers necessary, especially with regard to the interpretation of articles 9, 10, 18 and 22.

Declaration: (Upon ratification)

The Government of the Federal Republic of Germany declares that it welcomes the Convention on the Rights of the Child as a milestone in the development of international law and that it will take the opportunity afforded by the ratification of the Convention to initiate reforms in its domestic legislation that are in keeping with the spirit of the Convention and that it considers appropriate, in line with article 3 (2) of the Convention, to ensure the well-being of the child. The planned measures include, in particular, a revision of the law on parental custody in respect of children whose parents have not married, are permanently living apart while still married, or are divorced. The principal aim will be to improve the conditions for the exercise of parental custody by both parents in such cases as well. The Federal Republic of Germany also declares that domestically the Convention does not apply directly. It establishes State obligations under international law that the Federal Republic of Germany fulfils in accordance with its national law, which conforms with the Convention.

The Government of the Federal Republic of Germany is of the opinion that article 18 (1) of the Convention does not imply that by virtue of the entry into force of this provision parental custody, automatically and without taking into account the best interests of the respective child, applies to both parents even in the case of children whose parents have not married, are permanently living apart while still married, or are divorced. Such an interpretation would be incompatible with article 3 (1) of the Convention. The situation must be examined on a case-by-case basis, particularly where the parents cannot agree on the joint exercise of custody.

The Federal Republic of Germany therefore declares that the provisions of the Convention are also without prejudice to the provisions of national law concerning:

- (a) Legal representation of minors in the exercise of their rights;
- (b) Rights of custody and access in respect of children born in wedlock;
- (c) Circumstances under family and inheritance law of children born out of wedlock;

This applies irrespective of the planned revision of the law on parental custody, the details of which remain within the discretion of the national legislator.

In addition, the Federal Republic of Germany confirms the declaration it made in Geneva on 23 February 1989:

Nothing in the Convention may be interpreted as implying that unlawful entry by an alien into the territory of the Federal Republic of Germany or his unlawful stay there is permitted; nor may any provision be interpreted to mean that it restricts the right of the Federal Republic of Germany to pass laws and regulations concerning the entry of aliens and the conditions of their stay or to make a distinction between nationals and aliens.

The Government of the Federal Republic of Germany regrets the fact that under article 38 (2) of the Convention even 15-year-olds may take a part in hostilities as soldiers, because this age limit is incompatible with the consideration of a child's best interest (art. 3 (1) of the Convention). It declares that it will not make any use of the possibility afforded by the Convention of fixing this age limit at 15 years.

Reservation

In accordance with the reservations made by it with respect to the parallel guarantees of the International Covenant on Civil and Political Rights, the Federal Republic of Germany declares in respect of article 40 (2) (b) (ii) and (v) of the Convention that these provisions shall be applied in such a way that, in the case of minor infringement of the penal law, there shall not in each and every case exist:

(a) A right to have "legal or other appropriate assistance" in the preparation and presentation of the defence, and/or

(b) An obligation to have a sentence not calling for imprisonment reviewed by a higher competent authority or judicial body.

- **Holy See**

Reservation

The Holy See, in conformity with the dispositions of article 51, [ratifies] the Convention on the Rights of the Child with the following reservations:

(a) That it interprets the phrase "family planning education and services" in article 24 (2) to mean only those methods of family planning which it considers morally acceptable, that is, the natural methods of family planning;

(b) That it interprets the articles of the Convention in a way which safeguards the primary and inalienable rights of parents, in particular insofar as these rights concern education (arts. 13 and 28), religion (art. 14), association with others (art. 15) and privacy (art. 16);

(c) That the application of the Convention be compatible in practice with the particular nature of the Vatican City State and of the sources of its objective law (art. 1, Law of 7 June 1929, n. 11) and, in consideration of its limited extent, with its legislation in the matters of citizenship, access and residence.

Declaration

The Holy See regards the present Convention as a proper and laudable instrument aimed at protecting the rights and interest of children, who are "that precious treasure given to each generation as a challenge to its wisdom and humanity" (Pope John Paul II, 26 April 1984).

The Holy See recognizes that the Convention represents an enactment of principles previously adopted by the United Nations and, once effective as a ratified instrument, will safeguard the rights of the child before as well as after birth, as expressly affirmed in the Declaration of the Rights of the Child (General Assembly resolution 1386 (XIV) of 20 November 1959) and restated in the ninth preambular paragraph of the Convention. The Holy See remains confident that the ninth preambular paragraph will serve as the perspective through which the rest of the Convention will be interpreted, in conformity with article 31 of the Vienna Convention on the Law of Treaties of 23 May 1969.

By acceding to the Convention on the Rights of the Child, the Holy See intends to give renewed expression to its constant concern for the well-being of children and families. In consideration of its singular nature and position, the Holy See, in acceding to this Convention, does not intend to prescind in any way from its specific mission which is of a religious and moral character.

- **Iceland**

Declarations

1. With respect to article 9, under Icelandic law the administrative authorities can take final decisions in some cases referred to in the article. These decisions are subject to judicial review in the sense that it is a principle of Icelandic law that courts can nullify administrative decisions if they conclude that they are based on unlawful premises. This competence of the courts to review administrative decisions is based on article 60 of the Constitution.

2. With respect to article 37, the separation of juvenile prisoners from adult prisoners is not obligatory under Icelandic law. However, the law relating to prisons and imprisonment provides that when deciding in which penal institution imprisonment is to take place account should be taken of, inter alia, the age of the prisoner. In light of the circumstances prevailing in Iceland it is expected that decisions on the imprisonment of juveniles will always take account of the juvenile's best interest.

- **Ireland**

Upon signature

Ireland reserves the right to make, when ratifying the Convention, such declarations or reservations as it may consider necessary.

- **Lichtenstein**

Declaration

According to the legislation of the Principality of Liechtenstein children come of age at 20 years. However, the Liechtenstein law provides for the possibility to prolong or to shorten the duration of minority.

Reservations

The Principality of Liechtenstein reserves the right to apply the Liechtenstein legislation according to which Liechtenstein nationality is granted under certain conditions.

The Principality of Liechtenstein reserves the right to apply the Liechtenstein legislation according to which family reunification for certain categories of foreigners is not guaranteed.

Withdrawal: On 10 December 2003, the Government of Lichtenstein informed the Secretary-General of the following:

“The Principality of Lichtenstein partially withdraws its reservation concerning article 10 of the Convention as contained in the annex of the instrument of accession of 18 December 1995, namely with regard to paragraph 2 of the article guaranteeing the right of the child to maintain personal relations and direct contacts with both parents”

- **Luxembourg**

Reservations

1. The Government of Luxembourg believes that it is in the interest of families and children to maintain the provision of article 334-6 of the Civil Code, which reads as follows:

Article 334-6. If at the time of conception, the father or mother was bound in marriage to another person, the natural child may be raised in the conjugal home only with the consent of the spouse of his parent.

2. The Government of Luxembourg declares that the present Convention does not require modification of the legal status of children born to parents between whom marriage is absolutely prohibited, such status being warranted by the interest of the child, as provided under article 3 of the Convention.

3. The Government of Luxembourg declares that article 6 of the present Convention presents no obstacle to implementation of the provisions of Luxembourg legislation concerning sex information, the prevention of back-street abortion and the regulation of pregnancy termination.

4. The Government of Luxembourg believes that article 7 of the Convention presents no obstacle to the legal process in respect of anonymous births, which is deemed to be in the interest of the child, as provided under article 3 of the Convention.

5. The Government of Luxembourg declares that article 15 of the present Convention does not impede the provisions of Luxembourg legislation concerning the capacity to exercise rights.

- **Malta**

Reservation

The Government of Malta is bound by the obligations arising from article 26 to the extent of present social security legislation.

Withdrawal: On 20 August 2001, the Government of Malta informed the Secretary-General that it had decided to withdraw its reservation made upon ratification.

- **Monaco**

Declaration

The Principality of Monaco declares that this Convention, especially article 7, shall not affect the rules laid down in Monegasque legislation regarding nationality.

Reservation

The Principality of Monaco interprets article 40, paragraph 2 (b) (v) as stating a general principle which has a number of statutory exceptions. Such, for example, is the case with respect to certain criminal offences. In any event, in all matters the Judicial Review Court rules definitively on appeals against all decisions of last resort.

- **Netherlands**

Reservations

Article 26

The Kingdom of the Netherlands accepts the provisions of article 26 of the Convention with the reservation that these provisions shall not imply an independent entitlement of children to social security, including social insurance.

Article 37

The Kingdom of the Netherlands accepts the provisions of article 37 (c) of the Convention with the reservation that these provisions shall not prevent the application of adult penal law to children of sixteen years and older, provided that certain criteria laid down by law have been met.

Article 40

The Kingdom of the Netherlands accepts the provisions of article 40 of the Convention with the reservation that cases involving minor offences may be tried without the presence of legal assistance and that with respect to such offences the position remains that no provision is made in all cases for a review of the facts or of any measures imposed as a consequence.

Declarations

Article 14

It is the understanding of the Government of the Kingdom of the Netherlands that article 14 of the Convention is in accordance with the provisions of article 18 of the International Covenant on Civil and Political Rights of 19 December 1966 and that this article shall include the freedom of a child to have or adopt a religion or belief of his or her choice as soon as the child is capable of making such choice in view of his or her age or maturity.

Article 22

With regard to article 22 of the Convention, the Government of the Kingdom of the Netherlands declares:

(a) That it understands the term "refugee" in paragraph 1 of this article as having the same meaning as in article 1 of the Convention relating to the Status of Refugees of 28 July 1951; and

(b) That it is of the opinion that the obligation imposed under the terms of this article does not prevent

The submission of a request for admission from being made subject to certain conditions, failure to meet such conditions resulting in inadmissibility;

The referral of a request for admission to a third State, in the event that such a State is considered to be primarily responsible for dealing with the request for asylum.

Article 38

With regard to article 38 of the Convention, the Government of the Kingdom of the Netherlands declares that it is of the opinion that States should not be allowed to involve children directly or indirectly in hostilities and that the minimum age for the recruitment or incorporation of children in the armed forces should be above 15 years.

In times of armed conflict, provisions shall prevail that are most conducive to guaranteeing the protection of children under international law, as referred to in article 41 of the Convention.

- **The Netherlands Antilles**

Declarations

Article 14

It is the understanding of the Government of the Kingdom of the Netherlands that article 14 of the Convention is in accordance with the provisions of article 18 of the International Covenant on Civil and Political Rights, of 19 December 1966, and that this article shall include the freedom of a child to have or adopt a religion or belief of his or her choice as soon as the child is capable of making such choice in view of his or her age or maturity.

Article 22

The Government of the Kingdom of the Netherlands declares that whereas the Netherlands Antilles are not bound by the 1951 Convention relating to the Status of Refugees, article 22 of the present Convention shall be interpreted as containing a reference only to such other international human rights or humanitarian instruments as are binding on the Kingdom of the Netherlands with respect to the Netherlands Antilles.

Article 38

With regard to article 38 of the Convention, the Government of the Kingdom of the Netherlands declares that it is of the opinion that States should not be allowed to involve children directly or indirectly in hostilities and that the minimum age for the recruitment or incorporation of children in the armed forces should be above 15 years. In times of armed conflict, provisions shall prevail that are most conducive to guaranteeing the protection of children under international law, as referred to in article 41 of the Convention.

Article 26

The Kingdom of the Netherlands accepts the provisions of article 26 of the Convention with the reservation that these provisions shall not imply an independent entitlement of children to social security, including social insurance.

Article 37

The Kingdom of the Netherlands accepts the provisions of article 37 (c) of the Convention with the reservation that these provisions shall not prevent:

- The application of adult penal law to children of 16 years and older, provided that certain criteria laid down by law have been met;
- That a child who has been detained will not always be accommodated separately from adults; if the number of children that has to be detained at a certain time is unexpectedly large, (temporary) accommodation together with adults may be unavoidable.

Article 40

The Kingdom of the Netherlands accepts the provisions of article 40 of the Convention with the reservation that cases involving minor offences may be tried without the presence of legal assistance and that with respect to such offences the position remains that no provision is made in all cases for a review of the facts or of any measures imposed as a consequence.

- **Norway**

The instrument of ratification by the Government of Norway contains a reservation in respect of article 40, paragraph 2 (b) (v), in accordance with article 51, paragraph 1, of the Convention.

Withdrawal: On 19 September 1995, the Government of Norway notified the Secretary-General of its decision to withdraw the reservation with respect to article 40 (2) (b) (v) of the Convention that it had made upon ratification of the Convention.

- **Poland**

Reservations

In ratifying the Convention on the Rights of the Child, adopted by the United Nations General Assembly on 20 November 1989, the Republic of Poland, in accordance with the provision contained in article 51, paragraph 1, of the Convention, registers the following reservations:

(a) With respect to article 7 of the Convention, the Republic of Poland stipulates that the right of an adopted child to know its natural parents shall be subject to the limitations imposed by binding legal arrangements that enable adoptive parents to maintain the confidentiality of the child's origin;

(b) The law of the Republic of Poland shall determine the age from which call-up to military or similar service and participation in military operations are permissible. That age limit may not be lower than the age limit set out in article 38 of the Convention.

Declarations

The Republic of Poland considers that a child's rights as defined in the Convention, in particular the rights defined in articles 12 to 16, shall be exercised with respect for parental authority, in accordance with Polish customs and traditions regarding the place of the child within and outside the family.

With respect to article 24, paragraph 2 (f), of the Convention, the Republic of Poland considers that family planning and education services for parents should be in keeping with the principles of morality.

- **Slovenia**

Reservation

The Republic of Slovenia reserves the right not to apply paragraph 1 of article 9 of the Convention since the internal legislation of the Republic of Slovenia provides for the right of competent authorities (centres for social work) to determine on separation of a child from his/her parents without a previous judicial review.

Withdrawal: On 19 January 2004, the Government of Slovenia informed the Secretary-General that it had decided to withdraw its reservation made upon succession.

- **Spain**

Declarations

Spain understands that article 21, paragraph (d), of the Convention may never be construed to permit financial benefits other than those needed to cover strictly necessary expenditure which may have arisen from the adoption of children residing in another country.

Spain, wishing to make common cause with those States and humanitarian organizations which have manifested their disagreement with the contents of article 38, paragraphs 2 and 3, of the Convention, also wishes to express its disagreement with the age limit fixed therein and to declare that the said limit appears insufficient, by permitting the recruitment and participation in armed conflict of children having attained the age of 15 years.

- **Switzerland**

Declaration

Switzerland refers expressly to the obligation of all States to apply the rules of international humanitarian law and national law to the extent that they ensure better protection and care of children who are affected by an armed conflict.

(a) Reservation concerning article 5:

The Swiss legislation concerning parental authority is unaffected.

Withdrawal: On 8 April 2004, the Government of Switzerland informed the Secretary-General that it had decided to withdraw its reservation in respect of article 5 made upon ratification.

(b) Reservation concerning article 7:

The Swiss legislation on nationality, which does not grant the right to acquire Swiss nationality, is unaffected.

(c) Reservation concerning article 10, paragraph 1:

Swiss legislation, which does not guarantee family reunification to certain categories of aliens, is unaffected.

(d) Reservation concerning article 37 (c):

The separation of children deprived of liberty from adults is not unconditionally guaranteed.

(e) Reservation concerning article 40:

The Swiss penal procedure applicable to children, which does not guarantee either the unconditional right to assistance or separation, where personnel or organization is concerned, between the examining authority and the sentencing authority, is unaffected.

The federal legislation concerning the organization of criminal justice, which establishes an exception to the right to a conviction and sentence being reviewed by a higher tribunal where the person concerned was tried by the highest tribunal at first instance, is unaffected.

The guarantee of having the free assistance of an interpreter does not exempt the beneficiary from the payment of any resulting costs.

Withdrawal: In a communication received on 12 January 2004, the Government of Switzerland notified the Secretary-General that it had decided to withdraw its reservation in respect of article 40, paragraph 2, subparagraph b(vi) made upon ratification which reads as follows:

“The guarantee of having the free assistance of an interpreter does not exempt the beneficiary from the payment of any resulting costs”.

- **Turkey**

Reservation: (Upon signature and confirmed upon ratification)

The Republic of Turkey reserves the right to interpret and to apply the provisions of articles 17, 29 and 30 of the Convention on the Rights of the Child according to the letter and spirit of the Constitution of the Republic of Turkey and of the Treaty of Lausanne of 24 July 1923.

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

Upon signature

The United Kingdom reserves the right to formulate, upon ratifying the Convention, any reservations or interpretative declarations which it might consider necessary.

Withdrawal: On 18 April 1997, the Government of the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General of its decision to withdraw the reservation it had made upon ratification of the above Convention, as circulated by depositary notification C.N.320.1991.TREATIES-16 of 20 February 1992, to the extent that it applies to article 37 (d). The remaining reservations will now read as follows:

"The United Kingdom reserves the right to apply such legislation, insofar as it relates to the entry into, stay in and departure from the United Kingdom of those who do not have the right under the law of the United Kingdom to enter and remain in the United Kingdom, and to the acquisition and possession of citizenship, as it may deem necessary from time to time.

"Employment legislation in the United Kingdom does not treat persons under 18, but over the school-leaving age as children, but as 'young people'. Accordingly the United Kingdom reserves the right to continue to apply article 32 subject to such employment legislation.

"Where at any time there is a lack of suitable accommodation or adequate facilities for a particular individual in any institution in which young offenders are detained, or where the mixing of adults and children is deemed to be mutually beneficial, the United Kingdom reserves the right not to apply article 37 (c) insofar as those provisions require children who are detained to be accommodated separately from adults".

On 3 August 1999, the Government of the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General of its decision to withdraw the reservation it had made upon ratification of the above Convention, as circulated by depositary notification C.N. 320.1991, Treaties –16 on 20 February 1992, to the extent it applies to article 32. The following reservation entered upon ratification in respect of the United Kingdom of Great Britain and Northern Ireland is hereby withdrawn:

Employment legislation in the United Kingdom does not treat persons under 18 but over the school-leaving age as children, but as "young people". Accordingly, the United Kingdom reserves the right to continue to apply article 32 subject to such employment legislation.

The United Kingdom's reservations to article 32 respect of its overseas territories, formerly referred to as "dependent territories", set out in the Declarations dated 7 September 1994, are unaffected.

Reservation and Declarations: (Upon ratification)

The United Kingdom interprets the Convention as applicable only following a live birth.

The United Kingdom interprets the references in the Convention to "parents" to mean only those persons who, as a matter of national law, are treated as parents. This includes cases where the law regards a child as having only one parent, for example where a child has been adopted by one person only and in certain cases where a child is conceived other than as a result of sexual intercourse by the woman who gives birth to it and she is treated as the only parent.

The United Kingdom reserves the right to apply such legislation, insofar as it relates to the entry into, stay in and departure from the United Kingdom of those who do not have the right under the law of the United Kingdom to enter and remain in the United Kingdom, and to the acquisition and possession of citizenship, as it may deem necessary from time to time.

Employment legislation in the United Kingdom does not treat persons under 18, but over the school-leaving age as children, but as "young people". Accordingly the United Kingdom reserves the right to continue to apply article 32 subject to such employment legislation.

Where at any time there is a lack of suitable accommodation or adequate facilities for a particular individual in any institution in which young offenders are detained, or where the mixing of adults and children is deemed to be mutually beneficial, the United Kingdom reserves the right not to apply article 37 (c) insofar as those provisions require children who are detained to be accommodated separately from adults.

In Scotland there are tribunals (known as "children's hearings") which consider the welfare of the child and deal with the majority of offences which a child is alleged to have committed. In some cases, mainly of a welfare nature, the child is temporarily deprived of its liberty for up to seven days prior to attending the hearing. The child and its family are, however, allowed access to a lawyer during this period. Although the decisions of the hearings are subject to appeal to the courts, legal representation is not permitted at the proceedings of the children's hearings themselves. Children's hearings have proved over the years to be a very effective way of dealing with the problems of children in a less formal, non-adversarial manner. Accordingly, the United Kingdom, in respect of article 37 (d), reserves its right to continue the present operation of children's hearings.

Moreover, the instrument by the United Kingdom of Great Britain and Northern Ireland contains the following declaration:

... [The Government of the United Kingdom reserves] the right to extend the Convention at a later date to any territory for whose international relations the Government of the United Kingdom is responsible...

Withdrawal: On 18 April 1997, the Government of the United Kingdom of Great Britain and Northern Ireland informed the Secretary-General that it had to withdraw the following reservation made upon ratification:

"In Scotland there are tribunals (known as "children's hearing") which consider the welfare the child and deal with the majority of offences which a child is alleged to have committed. In some cases, mainly of welfare nature, the child is temporarily deprived of its liberty for up to seven days prior to attending the hearing. The child and its family are, however, allowed access to a lawyer during this period. Although the decisions of the hearings are subject to appeal to the courts, legal representation is not permitted at the proceedings of the children's hearings themselves. Children's hearings have proved over the years to be a very effective way of dealing with the problems of children in a less formal, non-adversarial manner. Accordingly, the United Kingdom, in respect of article 37(d), reserves its right to continue the present operation of children's hearings".