

## UK DECLARATIONS AND RESERVATIONS TO INTERNATIONAL HUMAN RIGHTS INSTRUMENTS

CONVENTION	RESERVATIONS & DECLARATIONS
<p><b>International Covenant on Economic, Social and Cultural Rights</b></p>	<p><b>Upon signature:</b></p> <p>"First, the Government of the United Kingdom declare their understanding that, by virtue of article 103 of the Charter of the United Nations, in the event of any conflict between their obligations under article 1 of the Covenant and their obligations under the Charter (in particular, under articles 1, 2 and 73 thereof) their obligations under the Charter shall prevail.</p> <p>"Secondly, the Government of the United Kingdom declare that they must reserve the right to postpone the application of sub-paragraph (a) (i) of article 7 of the Covenant in so far as it concerns the provision of equal pay to men and women for equal work, since, while they fully accept this principle and are pledged to work towards its complete application at the earliest possible time, the problems of implementation are such that complete application cannot be guaranteed at present.</p> <p>"Thirdly, the Government of the United Kingdom declare that, in relation to article 8 of the Covenant, they must reserve the right not to apply sub-paragraph (b) of paragraph 1 in Hong Kong, in so far as it may involve the right of trade unions not engaged in the same trade or industry to establish federations or confederations.</p> <p>"Lastly, the Government of the United Kingdom declare that the provisions of the Covenant shall not apply to Southern Rhodesia unless and until they inform the Secretary-General of the United Nations that they are in a position to ensure that the obligations imposed by the Covenant in respect of that territory can be fully implemented."</p> <p><b>Upon ratification:</b></p> <p>"Firstly, the Government of the United Kingdom maintain their declaration in respect of article 1 made at the time of signature of the Covenant.</p> <p>"The Government of the United Kingdom declare that for the purposes of article 2 (3) the British Virgin Islands, the Cayman Islands, the Gilbert Islands, the Pitcairn Islands Group, St. Helena and Dependencies, the Turks and Caicos Islands and Tuvalu are developing countries.</p> <p>"The Government of the United Kingdom reserve the right to interpret article 6 as not precluding the</p>

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	<p>imposition of restrictions, based on place of birth or residence qualifications, on the taking of employment in any particular region or territory for the purpose of safeguarding the employment opportunities of workers in that region or territory.</p> <p>"The Government of the United Kingdom reserve the right to postpone the application of sub-paragraph (i) of paragraph (a) of article 7, in so far as it concerns the provision of equal pay to men and women for equal work in the private sector in Jersey, Guernsey, the Isle of Man, Bermuda, Hong Kong and the Solomon Islands.</p> <p>"The Government of the United Kingdom reserve the right not to apply sub-paragraph 1(b) of article 8 in Hong Kong.</p> <p>"The Government of the United Kingdom while recognising the right of everyone to social security in accordance with article 9 reserve the right to postpone implementation of the right in the Cayman Islands and the Falkland Islands because of shortage of resources in these territories.</p> <p>"The Government of the United Kingdom reserve the right to postpone the application of paragraph 1 of article 10 in regard to a small number of customary marriages in the Solomon Islands and the application of paragraph 2 of article 10 in so far as it concerns paid maternity leave in Bermuda and the Falkland Islands.</p> <p>"The Government of the United Kingdom maintain the right to postpone the application of sub-paragraph (a) of paragraph 2 of article 13, and article 14, in so far as they require compulsory primary education, in the Gilbert Islands, the Solomon Islands and Tuvalu.</p> <p>"Lastly the Government of the United Kingdom declare that the provisions of the Covenant shall not apply to Southern Rhodesia unless and until they inform the Secretary-General of the United Nations that they are in a position to ensure that the obligations imposed by the Covenant in respect of that territory can be fully implemented."</p>

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<p><b>International Covenant on Civil and Political Rights</b></p>	<p><b>Upon signature:</b></p> <p>"First, the Government of the United Kingdom declare their understanding that, by virtue of Article 103 of the Charter of the United Nations, in the event of any conflict between their obligations under Article 1 of the Covenant and their obligations under the Charter (in particular, under Articles 1, 2 and 73 thereof) their obligations under the Charter shall prevail.</p> <p>"Secondly, the Government of the United Kingdom declare that:</p> <p>"(a) In relation to Article 14 of the Covenant, they must reserve the right not to apply, or not to apply in full, the guarantee of free legal assistance contained in sub-paragraph (d) of paragraph 3 in so far as the shortage of legal practitioners and other considerations render the application of this guarantee in British Honduras, Fiji and St. Helena impossible;</p> <p>"(b) In relation to Article 23 of the Covenant, they must reserve the right not to apply the first sentence of paragraph 4 in so far as it concerns any inequality which may arise from the operation of the law of domicile;</p> <p>"(c) In relation to Article 25 of the Covenant, they must reserve the right not to apply:</p> <p>"(i) Sub-paragraph (b) in so far as it may require the establishment of an elected legislature in Hong Kong and the introduction of equal suffrage, as between different electoral rolls, for elections in Fiji; and</p> <p>"(ii) Sub-paragraph (c) in so far as it applies to jury service in the Isle of Man and to the employment of married women in the Civil Service of Northern Ireland, Fiji, and Hong Kong.</p> <p>"Lastly, the Government of the United Kingdom declare that the provisions of the Covenant shall not apply to Southern Rhodesia unless and until they inform the Secretary-General of the United Nations that they are in a position to ensure that the obligations imposed by the Covenant in respect of that territory can be fully implemented."</p> <p><b>Upon ratification:</b></p> <p>"Firstly the Government of the United Kingdom maintain their declaration in respect of article 1 made at the time of signature of the Covenant.</p>

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	<p>"The Government of the United Kingdom reserve the right to apply to members of and persons serving with the armed forces of the Crown and to persons lawfully detained in penal establishments of whatever character such laws and procedures as they may from time to time deem to be necessary for the preservation of service and custodial discipline and their acceptance of the provisions of the Covenant is subject to such restrictions as may for these purposes from time to time be authorised by law.</p> <p>"Where at any time there is a lack of suitable prison facilities or where the mixing of adults and juveniles is deemed to be mutually beneficial, the Government of the United Kingdom reserve the right not to apply article 10 (2) (b) and 10 (3), so far as those provisions require juveniles who are detained to be accommodated separately from adults, and not to apply article 10 (2) (a) in Gibraltar, Montserrat and the Turks and Caicos Islands in so far as it requires segregation of accused and convicted persons.</p> <p>"The Government of the United Kingdom reserve the right not to apply article 11 in Jersey.</p> <p>"The Government of the United Kingdom reserve the right to interpret the provisions of article 12 (1) relating to the territory of a State as applying separately to each of the territories comprising the United Kingdom and its dependencies.</p> <p>"The Government of the United Kingdom reserve the right to continue to apply such immigration legislation governing entry into, stay in and departure from the United Kingdom as they may deem necessary from time to time and, accordingly, their acceptance of article 12 (4) and of the other provisions of the Covenant is subject to the provisions of any such legislation as regards persons not at the time having the right under the law of the United Kingdom to enter and remain in the United Kingdom. The United Kingdom also reserves a similar right in regard to each of its dependent territories.</p> <p>"The Government of the United Kingdom reserve the right not to apply article 13 in Hong Kong in so far as it confers a right of review of a decision to deport an alien and a right to be represented for this purpose before the competent authority.</p> <p>"The Government of the United Kingdom reserve the right not to apply or not to apply in full the guarantee of free legal assistance in sub-paragraph (d) of paragraph 3 of article 14 in so far as the</p>

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	<p>shortage of legal practitioners renders the application of this guarantee impossible in the British Virgin Islands, the Cayman Islands, the Falkland Islands, the Gilbert Islands, the Pitcairn Islands Group, St. Helena and Dependencies and Tuvalu.</p> <p>"The Government of the United Kingdom interpret article 20 consistently with the rights conferred by articles 19 and 21 of the Covenant and having legislated in matters of practical concern in the interests of public order (<i>ordre public</i>) reserve the right not to introduce any further legislation. The United Kingdom also reserve a similar right in regard to each of its dependent territories.</p> <p>"The Government of the United Kingdom reserve the right to postpone the application of paragraph 3 of article 23 in regard to a small number of customary marriages in the Solomon Islands.</p> <p>"The Government of the United Kingdom reserve the right to enact such nationality legislation as they may deem necessary from time to time to reserve the acquisition and possession of citizenship under such legislation to those having sufficient connection with the United Kingdom or any of its dependent territories and accordingly their acceptance of article 24 (3) and of the other provisions of the Covenant is subject to the provisions of any such legislation.</p> <p>"The Government of the United Kingdom reserve the right not to apply sub-paragraph (b) of article 25 in so far as it may require the establishment of an elected Executive or Legislative Council in Hong Kong [...].</p> <p>"Lastly, the Government of the United Kingdom declare that the provisions of the Covenant shall not apply to Southern Rhodesia unless and until they inform the Secretary-General of the United Nations that they are in a position to ensure that the obligations imposed by the Covenant in respect of that territory can be fully implemented."</p>

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CONVENTION	RESERVATIONS & DECLARATIONS
<p><b>International Convention on the Elimination of All Forms of Racial Discrimination</b></p>	<p><b>Upon signature:</b></p> <p><i>Subject to the following reservation and interpretative statements:</i></p> <p>"First, in the present circumstances deriving from the usurpation of power in Rhodesia by the illegal régime, the United Kingdom must sign subject to a reservation of the right not to apply the Convention to Rhodesia unless and until the United Kingdom informs the Secretary-General of the United Nations that it is in a position to ensure that the obligations imposed by the Convention in respect of that territory can be fully implemented.</p> <p>"Secondly, the United Kingdom wishes to state its understanding of certain articles in the Convention. It interprets article 4 as requiring a party to the Convention to adopt further legislative measures in the fields covered by sub-paragraphs (a), (b) and (c) of that article only in so far as it may consider with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in article 5 of the Convention (in particular the right to freedom of opinion and expression and the right to freedom of peaceful assembly and association) that some legislative addition to or variation of existing law and practice in those fields is necessary for the attainment of the end specified in the earlier part of article 4. Further, the United Kingdom interprets the requirement in article 6 concerning 'reparation or satisfaction' as being fulfilled if one or other of these forms of redress is made available and interprets 'satisfaction' as including any form of redress effective to bring the discriminatory conduct to an end. In addition it interprets article 20 and the other related provisions of Part III of the Convention as meaning that if a reservation is not accepted the State making the reservation does not become a Party to the Convention.</p> <p>"Lastly, the United Kingdom maintains its position in regard to article 15. In its view this article is discriminatory in that it establishes a procedure for the receipt of petitions relating to dependent territories while making no comparable provision for States without such territories. Moreover, the article purports to establish a procedure applicable to the dependent territories of States whether or not those States have become parties to the Convention. Her Majesty's Government have decided that the United Kingdom should sign the Convention, these objections notwithstanding, because of the importance they attach to the Convention as a whole."</p>

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	<p><b>Upon ratification:</b></p> <p>"First, the reservation and interpretative statements made by the United Kingdom at the time of signature of the Convention are maintained.</p> <p>"Secondly, the United Kingdom does not regard the Commonwealth Immigrants Acts, 1962 and 1968, or their application, as involving any racial discrimination within the meaning of paragraph 1 of article 1, or any other provision of the Convention, and fully reserves its right to continue to apply those Acts.</p> <p>"Lastly, to the extent if any, that any law relating to election in Fiji may not fulfil the obligations referred to in article 5 (c), that any law relating to land in Fiji which prohibits or restricts the alienation of land by the indigenous inhabitants may not fulfil the obligations referred to in article 5 (d) (v), or that the school system of Fiji may not fulfil the obligations referred to in articles 2, 3 or 5 (e) (v), the United Kingdom reserves the right not to apply the Convention to Fiji."</p>
<p><b>Convention on the Elimination of All Forms of Discrimination against Women</b></p>	<p><b>Upon ratification:</b></p> <p>"A. On behalf of the United Kingdom of Great Britain and Northern Ireland:</p> <p>"(a) The United Kingdom understands the main purpose of the Convention, in the light of the definition contained in Article 1, to be the reduction, in accordance with its terms, of discrimination against women, and does not therefore regard the Convention as imposing any requirement to repeal or modify any existing laws, regulations, customs or practices which provide for women to be treated more favourably than men, whether temporarily or in the longer term; the United Kingdom's undertakings under Article 4, paragraph 1, and other provisions of the Convention are to be construed accordingly.</p> <p>...</p> <p>"(c) In the light of the definition contained in Article 1, the United Kingdom's ratification is subject to the understanding that none of its obligations under the Convention shall be treated as extending to the succession to, or possession and enjoyment of, the Throne, the peerage, titles of honour, social precedence or armorial bearings, or as extending to the affairs of religious denominations or orders or any act done for the purpose of ensuring the combat effectiveness of the Armed Forces of the Crown.</p> <p>"(d) The United Kingdom reserves the right to continue to apply such immigration legislation governing entry into, stay in, and departure from, the United Kingdom as it may deem necessary from time to time and, accordingly, its acceptance of Article 15 (4) and of the other provisions of the Convention is subject to the provisions of any such legislation as regards persons not at the time having the right</p>

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	<p>under the law of the United Kingdom to enter and remain in the United Kingdom.</p> <p>...</p> <p>"Article 9 The British Nationality Act 1981, which was brought into force with effect from January 1983, is based on principles which do not allow of any discrimination against women within the meaning of Article 1 as regards acquisition, change or retention of their nationality or as regards the nationality of their children. The United Kingdom 's acceptance of Article 9 shall not, how ever, be taken to invalidate the continuation of certain temporary or transitional provisions which will continue in force beyond that date.</p> <p>...</p> <p>"Article 11</p> <p>...</p> <p>"The United Kingdom reserves the right to apply all United Kingdom legislation and the rules of pension schemes affecting retirement pensions, survivors' benefits and other benefits in relation to death or retirement (including retirement on grounds of redundancy), whether or not derived from a Social Security scheme.</p> <p>"This reservation will apply equally to any future legislation which may modify or replace such legislation, or the rules of pension schemes, on the understanding that the terms of such legislation will be compatible with the United Kingdom 's obligations under the Convention.</p> <p>"The United Kingdom reserves the right to apply the following provisions of United Kingdom legislation concerning the benefits specified:</p> <p>...</p> <p>b) increases of benefits for adult dependants under sections 44 to 47, 49 and 66 of the Social Security Act 1975 and under sections 44 to 47, 49 and 66 of the Social Security ( Northern Ireland ) Act 1975;</p> <p>...</p> <p>The United Kingdom reserves the right to apply any non-discriminatory requirement for a qualifying period of employment or insurance for the application of the provisions contained in Article 11 (2).</p> <p>"Article 15</p> <p>...</p> <p>"In relation to Article 15, paragraph 3, the United Kingdom understands the intention of this provision to be that only those terms or elements of a contract or other private instrument which are discriminatory in the sense described are to be deemed null and void, but not necessarily the contract or instrument as a whole.</p>

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	<p>"Article 16 As regards sub-paragraph 1 (f) of Article 16, the United Kingdom does not regard the reference to the paramountcy of the interests of the children as being directly relevant to the elimination of discrimination against women, and declares in this connection that the legislation of the United Kingdom regulating adoption, while giving a principal position to the promotion of the children's welfare, does not give to the child's interests the same paramount place as in issues concerning custody over children.</p> <p>...</p> <p>"B. On behalf of the Isle of Man, the British Virgin Islands, the Falkland Islands, South Georgia and the South Sandwich Islands, and the Turks and Caicos Islands: <i>[Same reservations as the one made on behalf of the United Kingdom under paragraphs A (a), (c), and (d) except that in the of case d) it applies to the territories and their laws].</i></p> <p>Article 1 [Same reservation as the one made in respect of the United Kingdom except with regard to the absence of a reference to United Kingdom legislation.]</p> <p>Article 2 [Same reservation as the one made in respect of the United Kingdom except that reference is made to the laws of the territories, and not the laws of the United Kingdom .]</p> <p>Article 9 [Same reservation as the one made in respect of the United Kingdom .]</p> <p>Article 11 [Same reservation as those made in respect of the United Kingdom except that a reference is made to the laws of the territories, and not to the laws of the United Kingdom .]</p> <p>"Also, as far as the territories are concerned, the specific benefits listed and which may be applied under the provisions of these territories' legislation are as follows: a) social security benefits for persons engaged in caring for a severely disabled person; b) increases of benefit for adult dependants; c) retirement pensions and survivors' benefits; d) family income supplements.</p>

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	<p>"This reservation will apply equally to any future legislation which may modify or replace any of the provisions specified in sub-paragraphs (a) to (d) above, on the understanding that the terms of such legislation will be compatible with the United Kingdom 's obligations under the Convention.</p> <p>"The United Kingdom reserves the right to apply any non-discriminatory requirement for a qualifying period of employment or insurance for the application of the provisions contained in Article 11 (2)." Article 13, 15 and 16 [Same reservations as those made on behalf the United Kingdom .]</p>
<b>Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment</b>	<p><b>Upon signature:</b></p> <p>"The United Kingdom reserves the right to formulate, upon ratifying the Convention, any reservations or interpretative declarations which it might consider necessary."</p>
<b>Convention on the Rights of the Child</b>	<p><b>Upon signature:</b></p> <p>"The United Kingdom reserves the right to formulate, upon ratifying the Convention, any reservations or interpretative declarations which it might consider necessary."</p> <p><b>Upon ratification:</b></p> <p><b>Declarations:</b></p> <p>"(a) The United Kingdom interprets the Convention as applicable only following a live birth. "(b) 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.</p>

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CONVENTION	RESERVATIONS & DECLARATIONS
	<p><b>Declaration:</b> "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." 7 September 1994</p> <p><b>Declarations:</b> "The United Kingdom refers to the reservation and declarations (a), (b) and (c) which accompanied its instrument of ratification and makes a similar reservation and declarations in respect to each of its dependent territories.</p> <p>The United Kingdom, in respect of each of its dependent territories except Hong Kong and Pitcairn, reserves the right to apply article 32 subject to the laws of those territories which treat certain persons under 18 not as children but as `young people'. In respect of Hong Kong, the United Kingdom reserves the right not to apply article 32 (b) in so far as it might require regulation of the hours of employment of young persons who have attained the age of fifteen years in respect of work in non-industrial establishments.</p> <p>Where at any time there is a lack of suitable detention facilities or where the mixing of adults and children is deemed to be mutually beneficial, the United Kingdom, in respect of each of its dependent territories, reserves the right not to apply article 37 (c) in so far as those provisions require children who are detained to be accommodated separately from adults.</p> <p>The United Kingdom, in respect of Hong Kong and the Cayman Islands, will seek to apply the Convention to the fullest extent to children seeking asylum in those territories except in so far as conditions and resources make full implementation impracticable. In particular, in relation to article 22, the United Kingdom reserves the right to continue to apply any legislation in those territories governing the detention of children seeking refugee status, the determination of their status and their entry into, stay in and departure from those territories.</p> <p>The Government of the United Kingdom reserves the right to extend the Convention at a later date to any other territories for whose international relations the Government of the United Kingdom is responsible."</p>

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	<p><b>Reservations:</b>            "(c) The United Kingdom reserves the right to apply such legislation, in so far 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            ...            "(e) 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) in so far as those provisions require children who are detained to be accommodated separately from adults.</p>
<p><b>Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict</b></p>	<p><b>Declaration made upon signature and confirmed upon ratification:</b>            "The United Kingdom of Great Britain and Northern Ireland will take all feasible measures to ensure that members of its armed forces who have not attained the age of 18 years do not take a direct part in hostilities.            The United Kingdom understands that article 1 of the Optional Protocol would not exclude the deployment of members of its armed forces under the age of 18 to take a direct part in hostilities where: -            a) there is a genuine military need to deploy their unit or ship to an area in which hostilities are taking place; and            b) by reason of the nature and urgency of the situation:-            i) it is not practicable to withdraw such persons before deployment; or            ii) to do so would undermine the operational effectiveness of their ship or unit, and thereby put at risk the successful completion of the military mission and/or the safety of other personnel."</p> <p><b>Upon ratification:</b>  <b>Declaration:</b>            ".....in accordance with Article 3, paragraph 2, of the Optional Protocol:            - The minimum age at which individuals may join the UK Armed Forces is 16 years. This minimum</p>

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	<p>broadly reflects the minimum statutory school leaving age in the United Kingdom, that is the age at which young persons may first be permitted to cease full-time education and enter the full-time employment market. Parental consent is required in all cases of recruitment under the age of 18 years.</p> <p>The United Kingdom maintains the following safeguards in respect of voluntary recruitment into the armed forces:</p> <ol style="list-style-type: none"> <li>1. The United Kingdom Armed Forces are manned solely by volunteers; there is no compulsory recruitment.</li> <li>2. A declaration of age, backed by an authoritative, objective proof (typically the production of an authentic birth certificate) is an integral and early requirement in the recruitment process.</li> </ol> <p>Should an individual volunteering to enter the United Kingdom Armed Forces be found either by their own declaration or by inspection of supporting evidence of age to be under 18 years of age, special procedures are adopted. These procedures include:</p> <ul style="list-style-type: none"> <li>- the involvement of the parent(s) or legal guardian(s) of the potential recruits;</li> <li>- clear and precise explanation of the nature of duties involved in military service to the both the individual and their parent(s)/guardian(s); and</li> <li>- as well as explaining the demands of military life to the individual volunteer and establishing that he/she remains a genuine volunteer, the requirement that the parent(s) or guardian(s), having been similarly informed, freely consent to the individual's entry into the Armed Forces and duly countersign the appropriate application or other appropriate recruitment process forms.</li> </ul>