

## TURKEY

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### RESERVATIONS AND DECLARATIONS

*(Unless otherwise indicated, the reservations and declarations were made upon ratification, accession or succession)*

Reservation:

"The Government of Turkey declares in accordance with article 30, paragraph 2, of the Convention, that it does not consider itself bound by the provisions of paragraph 1 of this article."

### OBJECTIONS MADE TO OTHER STATES PARTIES RESERVATIONS AND DECLARATIONS

Note

In a communication received on 7 September 1990, the Government of Chile notified the Secretary-General that it had decided to withdraw the declaration made by virtue of article 28 (1) upon signature and confirmed upon ratification by which the Government did not recognize the competence of the Committee against torture as defined by article 20 of the Convention. The Government of Chile further decided to withdraw the following reservations, made upon ratification, to article 2 (3) and article 3, of the Convention:

(a) [To] Article 2, paragraph 3, in so far as it modifies the principle of "obedience upon reiteration" contained in Chilean domestic law. The Government of Chile will apply the provisions of that international norm to subordinate personnel governed by the Code of Military Justice, provided that the order patently intended to lead to perpetration of the acts referred to in article 1 is not insisted on by the superior officer after being challenged by his subordinate.

(b) Article 3, by reason of the discretionary and subjective nature of the terms in which it is drafted.

It will be recalled that the Secretary-General had received various objections to the said declarations from the following States on the dates indicated hereinafter:

...

**Turkey** (3 November 1989):

"The Government of Turkey considers such reservations to be incompatible with the object and purpose of this Convention and therefore invalid.

"This objection does not constitute an obstacle to the entry into force of the Convention between

Turkey and Chile."

...

Further, in a communication received on 3 September 1999, the Government of Chile withdrew the following reservation made upon ratification:

The Government of Chile will not consider itself bound by the provisions of article 30, paragraph 1 of the Convention.

*(Note 17, Chapter IV.9, Multilateral Treaties Deposited with the Secretary-General)*

**DECLARATIONS RE: ARTICLES 21 AND 22**

*(Unless otherwise indicated, the declarations were made upon ratification, accession or succession)*

"The Government of Turkey declares, pursuant to article 21, paragraph 1, of the Convention that it recognizes the competence of the Committee Against Torture to receive and consider communications to the effect that a State Party is not fulfilling its obligations under the Convention.

The Government of Turkey declares, pursuant to article 22, paragraph 1, of the Convention that it recognizes the competence of the Committee Against Torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention."