

## CYPRUS

### CRC OPTIONAL PROTOCOL (ARMED CONFLICT)

#### **RESERVATIONS AND DECLARATIONS**

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

Declaration made upon ratification:

“Pursuant to Article 3, paragraph 2, of the Optional Protocol to the Convention on the Rights of the Child on the involvement of Children in Armed Conflict, done at New York on 25 May 2000, the Republic of Cyprus declares:

1. The National Guard Law No. 20 of 1964, as variously amended, most recently in 2006, hereinafter “The National Guard Law”, provides that the obligation to military service, in times of peace, begins on 1 January of the year the citizen becomes 18 years old. Although military service is compulsory for all Cypriot citizens, women and some categories of males (e.g. clergymen) are exempted from military service in times of peace.
2. The National Guard Law also provides for the voluntary enlistment of citizens under 18 years of age who have attained the age of 17 by the date of their recruitment in the armed forces. The acceptance of volunteers to Military Service requires special authorization from the Minister of Defence. Volunteers must have recent written consent from their parents or legal guardians.
3. The recruitment, on a voluntary basis, by the armed forces at the minimum age of 17 years shall continue to be permitted under the conditions and with the safeguards provided in Article 3, paragraph 3, of the Optional Protocol.
4. Proof of age prior to recruitment is presented through the application of Section 4A of the National Guard Law providing for mandatory registration for all citizens with the appropriate authorities in the District of their normal residence once they reach the age of 16. Section 4A of the Law specifies that the data must be submitted in a written form and include, among others, details on the place and date of birth. It is a punishable offence to submit erroneous data at the time of registration.
5. The Republic of Cyprus understands that Article 1 of the Optional Protocol would not prevent members of its armed forces to be deployed where:
  - a. There is a genuine military need to deploy their unit 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 unit, and thereby put at risk the successful conduct of the military mission and/or the safety of other personnel.

The above understanding is all the more necessary under the circumstances prevailing nowadays in the Republic of Cyprus as a result of the continued illegal military occupation of 37% of its national territory by a foreign State, Party to the Optional Protocol.”

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

*(Ed. note: for the text targeted by the following objections, see the Reservations and Declarations of the State which is the subject of the objection)*

1 July 2008

With regard to the declaration made by Turkey upon ratification:

“The Government of the Republic of Cyprus has examined the declaration made by the Government of the Republic of Turkey to the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, (New York, 25 May 2000), on 4 May 2004, in respect of the implementation of the provisions of the Optional Protocol only to the States Parties which it recognizes and with which it has diplomatic relations.

In the view of the Government of the Republic of Cyprus, this declaration amounts to a reservation. This reservation creates uncertainty as to the States Parties in respect of which Turkey is undertaking the obligations in the Protocol and raises doubt as to the commitment of Turkey to the object and purpose of the Convention on the Rights of the Child and of the said Protocol. The Government of the Republic of Cyprus therefore objects to the reservation made by the Government of the Republic of Turkey to the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict.

This reservation or the objection to it shall not preclude the entry into force of the Convention on the Rights of the Child or the future entry into force of the said Protocol between the Republic of Cyprus and the Republic of Turkey.”

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### Note

On 29 July 2004, the Secretary-General received from the Government of Cyprus, the following communication with regard to the declarations made by Turkey upon ratification:

“The Government of the Republic of Cyprus has examined the declaration made by the Government of the Republic of Turkey to the Optional Protocol to the Convention on the Rights

of the Child on the Involvement of Children in Armed Conflict, (New York, 25 May 2000), on 4 May 2004, in respect of the implementation of the provisions of the Optional Protocol only to the States Parties which it recognizes and with which it has diplomatic relations.

In the view of the Government of the Republic of Cyprus, this declaration amounts to a reservation. This reservation creates uncertainty as to the States Parties in respect of which Turkey is undertaking the obligations in the Protocol and raises doubt as to the commitment of Turkey to the object and purpose of the Convention on the Rights of the Child and of the said Protocol. The Government of the Republic of Cyprus therefore objects to the reservation made by the Government of the Republic of Turkey to the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict.

This reservation or the objection to it shall not preclude the entry into force of the Convention on the Rights of the Child or the future entry into force of the said Protocol between the Republic of Cyprus and the Republic of Turkey."

*(Note 12, Chapter IV.11b, Multilateral Treaties Deposited with the Secretary-General)*