

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2009 Nr. 192

A. TITEL

*Facultatief Protocol bij het Verdrag inzake de rechten van het kind
inzake de betrokkenheid van kinderen bij gewapende conflicten;
New York, 25 mei 2000*

B. TEKST

De Engelse en de Franse tekst van het Protocol zijn geplaatst in *Trb.* 2001, 36.

Voor correcties op die tekst zie *Trb.* 2001, 131.

C. VERTALING

Zie *Trb.* 2001, 131.

D. PARLEMENT

Artikel 1 van de Rijkswet van 18 december 2008 (*Stb.* 2009, 42) luidt als volgt:

“Artikel 1

Het op 25 mei 2000 te New York totstandgekomen Facultatief Protocol bij het Verdrag inzake de rechten van het kind inzake de betrokkenheid van kinderen bij gewapende conflicten, waarvan de Engelse en Franse tekst is geplaatst in *Tractatenblad* 2001, 36 en de vertaling in het Nederlands in *Tractatenblad* 2001, 131, wordt goedgekeurd voor het gehele Koninkrijk.”

Deze Rijkswet is gecontrasigneerd door de Staatssecretaris van Defensie J. G. DE VRIES en de Minister van Buitenlandse Zaken M. J. M. VERHAGEN.

Voor de behandeling in de Staten-Generaal zie Kamerstukken II 2004/2005, 2005/2006, 2007/2008, 29976 (R1780), nr. 1 t/m 16; Hand. II 2007/2008, 29976 (R1780), blz. 4383-4400, blz. 4763-4770 en blz. 5107; Kamerstukken I 2007/2008, 2008/2009, 29976 (R1780), nr. A t/m F; Hand. I 2008/2009, 29976 (R1780), blz. 750.

E. PARTIJGEGEVENS

Zie *Trb.* 2001, 36.

Partij	Onder-tekening	Ratificatie	Type ^o	In werking	Opzeg-ging	Buiten werking
Afghanistan		24-09-03	T	24-10-03		
Albanië		09-12-08	T	09-01-09		
Algerije		06-05-09	T	06-06-09		
Andorra	07-09-00	30-04-01	R	12-02-02		
Angola		11-10-07	T	11-11-07		
Argentinië	15-06-00	10-09-02	R	10-10-02		
Armenië	24-09-03	30-09-05	R	30-10-05		
Australië	21-10-02	26-09-06	R	26-10-06		
Azerbeidzjan	08-09-00	03-07-02	R	03-08-02		
Bahrein		21-09-04	T	21-10-04		
Bangladesh	06-09-00	06-09-00	R	12-02-02		
Belarus		25-01-06	T	25-02-06		
België	06-09-00	06-05-02	R	06-06-02		
Belize	06-09-00	01-12-03	R	01-01-04		
Benin	22-02-01	31-01-05	R	28-02-05		
Bhutan	15-09-05					
Bolivia		22-12-04	T	22-01-05		
Bosnië en Herzegovina	07-09-00	10-10-03	R	10-11-03		

Partij	Onder-tekening	Ratificatie	Type*	In werking	Opzeg-ging	Buiten werking
Botswana	24-09-03	04-10-04	R	04-11-04		
Brazilië	06-09-00	27-01-04	R	27-02-04		
Bulgarije	08-06-01	12-02-02	R	12-03-02		
Burkina Faso	16-11-01	06-07-07	R	06-08-07		
Burundi	13-11-01	24-06-08	R	24-07-08		
Cambodja	27-06-00	16-07-04	R	16-08-04		
Canada	05-06-00	07-07-00	R	12-02-02		
Chili	15-11-01	31-07-03	R	31-08-03		
China	15-03-01	20-02-08	R	20-03-08		
Colombia	06-09-00	25-05-05	R	25-06-05		
Comoren, de		23-02-07	T	23-03-07		
Congo, Democratische Republiek	08-09-00	11-11-01	R	12-02-02		
Costa Rica	07-09-00	24-01-03	R	24-02-03		
Cuba	13-10-00	09-02-07	R	09-03-07		
Cyprus	01-07-08					
Denemarken	07-09-00	27-08-02	R	27-09-02		
Djibouti	14-06-06					
Dominica		20-09-02	T	20-10-02		
Dominicaanse Republiek, de	09-05-02					
Duitsland	06-09-00	13-12-04	R	13-01-05		
Ecuador	06-09-00	07-06-04	R	07-07-04		
Egypte		06-02-07	T	06-03-07		
El Salvador	18-09-00	18-04-02	R	18-05-02		
Eritrea		16-02-05	T	16-03-05		
Estland	24-09-03					
Fiji-eilanden	16-09-05					

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Filippijnen, de	08-09-00	26-08-03	R	26-09-03		
Finland	07-09-00	10-04-02	R	10-05-02		
Frankrijk	06-09-00	05-02-03	R	05-03-03		
Gabon	08-09-00					
Gambia	21-12-00					
Ghana	24-09-03					
Griekenland	07-09-00	22-10-03	R	22-11-03		
Guatemala	07-09-00	09-05-02	R	09-06-02		
Guinee-Bissau	08-09-00					
Haïti	15-08-02					
Heilige Stoel	10-10-00	24-10-01	R	12-02-02		
Honduras		14-08-02	T	14-09-02		
Hongarije	11-03-02					
Ierland	07-09-00	18-11-02	R	18-12-02		
IJsland	07-09-00	01-10-01	R	12-02-02		
India	15-11-04	30-11-05	R	30-12-05		
Indonesië	24-09-01					
Irak		24-06-08	T	24-07-08		
Israël	14-11-01	18-07-05	R	18-08-05		
Italië	06-09-00	09-05-02	R	09-06-02		
Jamaica	08-09-00	09-05-02	R	09-06-02		
Japan	10-05-02	02-08-04	R	02-09-04		
Jemen		02-03-07	T	02-04-07		
Jordanië	06-09-00	23-05-07	R	23-06-07		
Kaapverdië		10-05-02	T	10-06-02		
Kameroen	05-10-01					
Kazachstan	06-09-00	10-04-03	R	10-05-03		

Partij	Onder- tekening	Ratificatie	Type [*]	In werking	Opzeg- ging	Buiten werking
Kenia	08-09-00	28-01-02	R	12-02-02		
Koeweit		26-08-04	T	26-09-04		
Kroatië	08-05-02	01-11-02	R	01-12-02		
Kyrgyzstan		13-08-03	T	13-09-03		
Laos		20-09-06	T	20-10-06		
Lesotho	06-09-00	24-09-03	R	24-10-03		
Letland	01-02-02	19-12-05	R	19-01-06		
Libanon	11-02-02					
Liberia	22-09-04					
Libië		29-10-04	T	29-11-04		
Liechtenstein	08-09-00	04-02-05	R	04-03-05		
Litouwen	13-02-02	20-02-03	R	20-03-03		
Luxemburg	08-09-00	04-08-04	R	04-09-04		
Macedonië, Voormalige Joegoslavische Republiek	17-07-01	12-01-04	R	12-02-04		
Madagaskar	07-09-00	22-09-04	R	22-10-04		
Malawi	07-09-00					
Maldiven, de	10-05-02	29-12-04	R	29-01-05		
Mali	08-09-00	16-05-02	R	16-06-02		
Malta	07-09-00	09-05-02	R	09-06-02		
Marokko	08-09-00	22-05-02	R	22-06-02		
Mauritius	11-11-01	12-02-09	R	12-03-09		
Mexico	07-09-00	15-03-02	R	15-04-02		
Micronesia	08-05-02					
Moldavië	08-02-02	07-04-04	R	07-05-04		
Monaco	26-06-00	13-11-01	R	12-02-02		
Mongolië	12-11-01	06-10-04	R	06-11-04		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Montenegro		02-05-07	VG	03-06-06		
Mozambique		19-10-04	T	19-11-04		
Namibië	08-09-00	16-04-02	R	16-05-02		
Nauru	08-09-00					
Nederlanden, het Koninkrijk der – Nederland – Ned. Antillen – Aruba	07-09-00	24-09-09 24-09-09 24-09-09	R R R	24-10-09 24-10-09 24-10-09		
Nepal	08-09-00	03-01-07	R	03-02-07		
Nicaragua		17-03-05	T	17-04-05		
Nieuw-Zeeland	07-09-00	12-11-01	R	12-02-02		
Nigeria	08-09-00					
Noorwegen	13-06-00	23-09-03	R	23-10-03		
Oekraïne	07-09-00	11-07-05	R	11-08-05		
Oezbekistan		23-12-08	T	23-01-09		
Oman		17-09-04	T	17-10-04		
Oost-Timor		02-08-04	T	02-09-04		
Oostenrijk	06-09-00	01-02-02	R	12-02-02		
Pakistan	26-09-01					
Panama	31-10-00	08-08-01	R	12-02-02		
Paraguay	13-09-00	27-09-02	R	27-10-02		
Peru	01-11-00	08-05-02	R	08-06-02		
Polen	13-02-02	07-04-05	R	07-05-05		
Portugal	06-09-00	19-08-03	R	19-09-03		
Qatar		25-07-02	T	25-08-02		
Roemenië	06-09-00	10-11-01	R	12-02-02		
Russische Federatie	15-02-01	24-09-08	R	24-10-08		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Rwanda		23-04-02	T	23-05-02		
Salomonseilan- den	24-09-09					
San Marino	05-06-00					
Senegal	08-09-00	03-03-04	R	03-04-04		
Servië	08-10-01	31-01-03	R	28-02-03		
Seychellen, de	23-01-01					
Sierra Leone	08-09-00	15-05-02	R	15-06-02		
Singapore	07-09-00	11-12-08	R	11-01-09		
Slovenië	08-09-00	23-09-04	R	23-10-04		
Slowakije	30-11-01	07-07-06	R	07-08-06		
Soedan	09-05-02	26-07-05	R	26-08-05		
Somalië	16-09-05					
Spanje	06-09-00	08-03-02	R	08-04-02		
Sri Lanka	21-08-00	08-09-00	R	12-02-02		
Suriname	10-05-02					
Syrië		17-10-03	T	17-11-03		
Tadzjikistan		05-08-02	T	05-09-02		
Tanzania		11-11-04	T	11-12-04		
Thailand		27-02-06	T	27-03-06		
Togo	15-11-01	28-11-05	R	28-12-05		
Tsjaad	03-05-02	28-08-02	R	28-09-02		
Tsjechië	06-09-00	30-11-01	R	12-02-02		
Tunesië	22-04-02	02-01-03	R	02-02-03		
Turkije	08-09-00	04-05-04	R	04-06-04		
Turkmenistan		29-04-05	T	29-05-05		
Uganda		06-05-02	T	06-06-02		
Uruguay	07-09-00	09-09-03	R	09-10-03		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Vanuatu	16-09-05	26-09-07	R	26-10-07		
Venezuela	07-09-00	23-09-03	R	23-10-03		
Verenigd Koninkrijk, het	07-09-00	24-06-03	R	24-07-03		
Verenigde Staten van Amerika, de	05-07-00	23-12-02	R	23-01-03		
Vietnam	08-09-00	20-12-01	R	12-02-02		
Zambia	29-09-08					
Zuid-Afrika	08-02-02	24-09-09	R	24-10-09		
Zuid-Korea	06-09-00	24-09-04	R	24-10-04		
Zweden	08-06-00	20-02-03	R	20-03-03		
Zwitserland	07-09-00	26-06-02	R	26-07-02		

* O=Ondertekening zonder voorbehoud of vereiste van ratificatie, R= Bekrchtiging, aanvaarding, goedkeuring of kennisgeving, T=Toetreding, VG=Voortgezette gebondenheid, NB=Niet bekend

Uitbreidingen

China

Uitgebreid tot	In werking	Buiten werking
Hong Kong SAR	20-03-2008	
Macau SAR	20-03-2008	

Denemarken

Uitgebreid tot	In werking	Buiten werking
Faeröer	23-01-2004	
Groenland	23-01-2004	

Verklaringen, voorbehouden en bezwaren

Afghanistan, 24 september 2003

... according to the Decree No. 20 dated 25 May 2003 on the voluntary enrollment to the Afghan National Army, signed by H.E. Hamed Karzi Head of State of Afghanistan, the minimum age for recruitment of Afghan Citizen to an active military service is limited by the age of 22

to 28. All recruitments of personnel in the Afghan National Army is voluntary and is not forced or coerced.

Albanië, 9 december 2008

Pursuant to Article 3 (2) of the Protocol, the Republic of Albania declares that the minimum age at which it permits voluntary recruitment into its national Armed Forces is nineteen years. This age limit is prescribed by Law nr. 9171, dated 22.1.2004.

The age permitted for conscription is established by Article 5, paragraph 2 of the Law no. 9171, dated 22.2.2004.

Algerije, 6 mei 2009

In accordance with article 3 of the second Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, and with a view to concluding the procedures for the ratification thereof, I have the honour to transmit to you the following Declaration on behalf of the Government of the People's Democratic Republic of Algeria:

By virtue of Order No. 74-103 dated 15 November 1974 containing the National Service Act, Algerian youths who have reached the age of 19 years may be recruited for National Service.

In application of Order No. 06-02 dated 18 February 2006 containing the General Military Service Personnel Act, Presidential Decree No. 08-134 dated 6 May 2008 specifies the conditions for the recruitment of officers serving in the Algerian Army under which the minimum age for the recruitment of persons in this category shall be 18 years.

The same legislative provision shall apply to enlisted military personnel, primarily noncommissioned officers, and is extended to private soldiers by virtue of internal regulations since 1969 (Order No. 69-90 dated 31 October 1969 containing the Act on Non-Commissioned Officers Serving in the National People's Army).

Furthermore, all the guarantees relating to the voluntary recruitment of those concerned and which, in the case of minors, require the permission of the persons legally responsible for them as well as adequate knowledge of the obligations inherent in military service are contained in the Algerian legal texts. Those texts, in addition to establishing the free and uncoerced nature of recruitment in the ranks of the National People's Army, are also applicable to holders of the baccalaureat who have reached the age of 17 years and who, by virtue of article 14 of Presidential Decree No. 08-134 dated 8 May 2008, must obtain the permission of their parents or legal guardian.

It is worth mentioning that the military schools that are scheduled to be established in Algeria do not fall within the scope of article 3 of the second Optional Protocol because the students of such establishments are under the administration or tutelage of the armed forces which are exempt from the obligation to raise the minimum age of voluntary recruitment (article 3, paragraph 5, of the Optional Protocol).

Andorra, 30 april 2001

With regard to article 3, paragraph 2, of the Protocol, the Principality of Andorra declares that it currently has no armed forces. The only specialized forces in the Principality are those of the Police and Customs, for which the minimum recruitment age is that specified in article 2 of the Optional Protocol. Moreover, the Principality wishes to reiterate in this declaration its disagreement with the content of article 2, in that that article permits the voluntary recruitment of children under the age of 18 years.

Angola, 11 oktober 2007

The Government of the Republic of Angola declares, in accordance with Article 3 of paragraph 2 of the Optional Protocol to the Convention on the Rights of the Child, related to Children and Armed Conflict, that in the terms of its Military Service legislation, the inclusion of persons in the Angolan Army, as appropriate, is done upon their reaching 20 years of age, and that the minimum age for voluntary enlistment is 18 years.

Argentinië, 10 september 2002

The Argentine Republic declares that the minimum age required for voluntary recruitment into the national Armed Forces is eighteen (18) years.

Armenië, 30 september 2005

According to Article 47 of the Constitution of the Republic of Armenia "Every citizen shall participate in the defence of the Republic of Armenia in a manner prescribed by law".

Participation of the citizens of the Republic of Armenia in the defence of the country is regulated by the laws of the Republic of Armenia on "Military Duty" (15 September 1998) and on "Performance of Military Service" (3 June 2002).

According to Article 4, paragraphs 1 and 2, of the law of the Republic of Armenia on "Performance of Military Service", "the military service consists of active and reserve military services; the active military service consists of obligatory and contractual military service. Obligatory military service means the military service of ranks and officers called up to the armed forces or other forces and of cadets of military schools".

According to Article 11, paragraph 1, of the law of the Republic of Armenia on "Military Duty", "male conscripts aged between 18 and 27 and reserve officers of the first group assessed as fit for military service in peace time according to their state of health are required for military service".

Based on the above-mentioned laws, the citizens of the Republic of Armenia, who have attained the age of 18, are required to serve in the armed forces of the Republic of Armenia; the Republic of Armenia guarantees that those citizens who have not yet attained the age of 18 cannot be called upon for either obligatory or contractual (voluntary) military service.

Australië, 26 september 2006

The Australian Defence Force (ADF) shall continue to observe a minimum voluntary recruitment age of 17 years.

Pursuant to Article 3 (5) of the Optional Protocol, age limitations do not apply to military schools. A list of authorised establishments, both military and civilian (including those used to train apprentices), to which this age exemption applies is held by the Service Director-General Career Management. Age limitations also do not apply to cadet schemes, members of which are not recruited into, and are therefore not members of, the ADF.

Persons wishing to join the ADF must present an original certified copy of their birth certificate to their recruiting officer. Before their enlistment or appointment, all ADF applicants who are less than 18 years of age must present the written informed consent of their parents or guardians. All applicants wishing to join the ADF must be fully informed of the nature of their future duties and responsibilities. Recruiting officers must be satisfied that an application for membership by a person less than 18 years of age is made on a genuinely voluntary basis.

Azerbeidzjan, 3 juli 2002

Pursuant to Article 3 of the protocol, the Republic of Azerbaijan declares that in accordance with the Law of the Republic of Azerbaijan on the military service of 3 November 1992, the citizens of the Republic of Azerbaijan and other persons, who are meeting the defined requirements of the military service, may voluntarily enter and be admitted in age of 17 the active military service of the cadets military school. The legislation of the Republic of Azerbaijan guarantees that this service shall not be forced or coerced, shall be realized on the basis of deliberative consent of the parents and the legal representatives of those persons, that those persons shall be provided with the full information of the duties regarding this service, and that the documents certifying their age shall be required before the admission to the service in the national armed forces.

Bahrein, 21 september 2004

With reference to Article (3), Paragraph (2) of the Optional Protocol to the Convention on the Rights of the Child concerning the involvement of children in armed conflict, the Kingdom of Bahrain hereby declares that the minimum age for voluntary recruitment to Bahrain Defence force is 18 years.

Bangladesh, 6 september 2000

In accordance with Article 3 (2) of [the Optional Protocol], the Government of the People's Republic of Bangladesh declares that the minimum age at which it permits voluntary recruitment into its national Armed Forces is sixteen years for non-commissioned soldiers and seventeen

years for commissioned officers, with informed consent of parents or legal guardian, without any exception.

The Government of the People's Republic of Bangladesh further provides herunder a description of the safeguards it has adopted to ensure that such recruitment is not forced or coerced:

The process of recruitment in the national Armed Forces is initiated through advertisement in the national press and the media for officers and other ranks without exception.

The first induction of new recruits is conducted invariably in a public place such as a national park, school ground or a similar place. Public participation is welcomed in such programmes.

Before a recruit presents himself he has to submit a written declaration from his parents or legal guardians consenting to his recruitment. If the parent or legal guardian is illiterate the declaration is verified and counter signed by the Chairmain of the Union Parishad.

The recruit is required to present birth certificate, matriculation certificate and full school records.

All recruits whether officers or other ranks have to undergo rigorous medical examination including checks for puberty. A recruit found to be pre-pubescent is automatically rejected.

Officers and other ranks without exception are required to undergo two years of compulsory training. This ensures that they are not assigned to combat units before the age of 18. All officers and other ranks are carefully screened before being assigned to combat units. These tests include tests of psychological maturity including an understanding of the elements of international law of armed conflict inculcated at all levels.

The Government of the People's Republic of Bangladesh declares that stringent checks in accordance with the obligations assumed under the Optional Protocol will continue to be applied without exception.

Belarus, 25 januari 2006

The Republic of Belarus, pursuant to article 3 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, declares that voluntary recruitment of citizens into the armed forces of the Republic of Belarus shall occur upon the attainment by them of 18 years of age.

Admission to a military academy, to which citizens aged 17 years or over, including those who attain 17 years of age during the year in which they are admitted to such an academy, are entitled, in accordance with article 43 of the Act of the Republic of Belarus of 5 November 1992 on Military Obligations and Military Service, shall constitute an exception to the above. Such admission shall not be forced or coerced.

The legislation of the Republic of Belarus guarantees that entry into military service as a cadet at a military academy:

Shall be voluntary;

Shall occur with the informed consent of the person's parents or legal guardians;

Shall occur on condition that such persons are fully informed of the duties involved in military service;
Shall be permitted on condition that such persons provide reliable proof of age prior to acceptance into military service.

België, 6 mei 2002

1. In accordance with article 3, paragraph 2, and bearing in mind article 3, paragraph 5, the Government of the Kingdom of Belgium states that the minimum age for voluntary recruitment into the Belgian armed forces is not lower than 18 years.
2. The Government of the Kingdom of Belgium states that it is absolutely forbidden under Belgian law for any person under the age of 18 years to participate in times of war and in times of peace in any peace-keeping operation or in any kind of armed operational engagement. Moreover, non-governmental militias are prohibited, regardless of the age of the persons concerned.
3. The Government of the Kingdom of Belgium shall not act upon a request for judicial cooperation where doing so would lead to discrimination between governmental and non-governmental forces in violation of the principle of international humanitarian law of equality of parties to a conflict, including in the event of armed conflict of a non-international nature.

Belize, 1 december 2003

The Government of Belize declares that in accordance with Article 3 of the Protocol, the minimum age at which voluntary recruitment to any military service in Belize shall be permitted is sixteen years. In recruiting among persons who have attained sixteen years but less than eighteen years, the following principles are to be observed:

1. Such recruitment is to be genuinely voluntary and reliable proof of age must be given;
2. Such persons are to receive the informed consent of his/her parent or guardian;
3. Such persons are, before being recruited, well-informed of the duties involved in the military service;
4. Such persons may be able to withdraw from the military service within the first month of having enlisted.

Benin, 31 januari 2005

The Government of the Republic of Benin declares that the minimum age at which it permits the recruitment of volunteers into the armed forces and the national gendarmerie is eighteen (18) years (cf. article 13 of Act No. 63-5 of 30 May 1963 on recruitment in the Republic of Benin).

The Government of the Republic of Benin also indicates below the safeguards that it has adopted to ensure that such recruitment is in no event forced or coerced:

- a) The process of recruitment into the Beninese Armed Forces and the national gendarmerie is initiated by an announcement in the national press and news media for young persons;
- b) The recruitment file is composed, as appropriate, inter alia, of a birth certificate, a certificate of school attendance and/or a certificate of apprenticeship;
- c) The induction of young persons takes place in public, at a sports ground or a similar location;
- d) All recruits undergo a rigorous medical examination.

Bolivia, 22 december 2004

Bolivia declares that, under its legislation in force, the minimum age for compulsory military service in the armed forces is 18 years. As for pre-military service, it is a voluntary alternative available for young persons from the age of 17 years.

Bosnië en Herzegovina, 10 oktober 2003

The State of Bosnia and Herzegovina will not permit voluntary recruitment into its national armed forces of any person under age of 18. Such provision is incorporated into the Law on Defense of Federation of Bosnia and Herzegovina ("Official Gazette of Federation of Bosnia and Herzegovina" No. 15/96, 23/02, 18/03) and Law on Army of Republika Srpska ("Official gazette of Republika Srpska" No 31/96, 96/01), and is in compliance with Optional Protocol to the Convention on the Rights of the Child that was ratified by Bosnia and Herzegovina.

Botswana, 4 oktober 2004

The Government of the Republic of Botswana declares, pursuant to Article 3 (2), of the Optional Protocol, that:

- a) There is no compulsory conscription into the Defence Force.
- b) The process of recruitment in the Defence Force is initiated through advertisement in the national press in which the minimum age limit of 18 years is stipulated as one of the requirements.
- c) The induction of all recruits is conducted in public.
- d) All recruits are required to present a national identity card which states their date of birth, school completion certificate, and other educational records where necessary.
- e) All recruits undergo a rigorous medical examination where pre-pubescence would be noticed, and any person determined to be underage is routinely rejected from recruitment.

Brazilië, 27 januari 2004

With regard 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, the Brazilian Government declares that, according to article 143 of the Federal Constitution, military service is compulsory, as set forth by law. The Constitution also provides that it is within the

competence of the Armed Forces, according to the law, to assign an alternative service to those who, in times of peace, after being enlisted, claim imperative of conscience. Women and clergymen are exempt from compulsory military service in times of peace, but are subject to other duties assigned by law.

According to the Military Service Act (Law no 4.375, of 17 August 1964), the obligation to military service, in times of peace, begins the 1st January of the year the citizen becomes 18 years old (article 5). Pursuant to the Regulation of the Military Service (Decree no 57.654, of 20 January 1966), citizens may freely present themselves to voluntary military service provided they have the minimum age of 16 years (article 41, paragraph 1 and article 49, paragraph 4).

However, their acceptance to voluntary military service is only possible from the 1st January of the year they become 17 years old (article 127). The acceptance of voluntaries to Military Service requires special authorization from the Armed Forces (Military Service Act, article 27).

Pursuant to the Regulation of the Military Service, the civil incapacity to act, to the purposes of military service, ends on the date the citizen becomes 17 years old. Voluntaries who, upon the act of incorporation or enrollment to the military service, have not yet completed 17 years old, must present written consent from parents or guardians (article 239).

Bulgarije, 12 februari 2002

The Republic of Bulgaria declares hereby that all men, Bulgarian citizens who have attained 18 years of age shall be subject to a compulsory military service.

Bulgarian citizens who have been sworn in and done their military service or have done two thirds of the mandatory term of their military service shall be admitted, voluntarily, to regular duty.

Persons who have not come of age shall be trained at military schools subject to the conclusion of a training agreement to be signed by them with the consent of their parents or guardians. Having come of age, the trainees shall sign a training agreement on a regular military duty.

Burkina Faso, 6 juli 2007

The Government of Burkina Faso, pursuant to article 3 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, hereby declares that the minimum age for voluntary recruitment into its national armed forces is 18.

Recruitment is voluntary and such persons must provide reliable proof of age.

They are fully informed, prior to recruitment, of the duties involved in such military service.

The Government of Burkina Faso hereby states that it is forbidden for any person under the age of 18 to participate in times of war and in times of peace in any peacekeeping operation or in any kind of armed operational engagement.

Burundi, 24 juni 2008

With regard to Article 3 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, the Government of the Republic of Burundi declares that the minimum age at which it permits voluntary recruitment into its national defence forces is eighteen (18) years (cf. article of Act no. 67-8 of 30 October 1963 on recruitment in the Republic of Burundi).

The Government of the Republic of Burundi further notes that it has adopted the following safeguards to ensure that such recruitment is neither forced nor coerced:

- a) Recruitment into the national defence forces and the national police of Burundi is initiated through announcements in the national media for young men and women;
- b) Prospective recruits are required to provide, inter alia, a birth certificate, proof of school attendance, and/or apprenticeship certificate;
- c) The enlistment ceremony for young people is conducted in public, at a sports field or other similar venue;
- d) All recruits undergo a thorough medical examination.

Cambodja, 16 juli 2004

According to Article 42 of the Law on the General Status of Royal Cambodian Armed Forces stipulated that the Cambodian citizen of either sex who has attained the age of 18 years should be permitted or recruited into the armed forces.

Canada, 7 juli 2000

Pursuant to article 3, paragraph 2, of the Optional Protocol to the Convention on the Rights of the Child on Involvement of Children in Armed Conflicts, Canada hereby declares:

1. The Canadian Armed Forces permit voluntary recruitment at the minimum age of 16 years.
2. The Canadian Armed Forces have adopted the following safeguards to ensure that recruitment of personnel under the age of 18 years is not forced or coerced:
 - a) all recruitment of personnel in the Canadian Forces is voluntary. Canada does not practice conscription or any form of forced or obligatory service. In this regard, recruitment campaigns of the Canadian Forces are informational in nature. If an individual wishes to enter the Canadian Forces, he or she fills in an application. If the Canadian Forces offer a particular position to the candidate, the latter is not obliged to accept the position;
 - b) recruitment of personnel under the age of 18 is done with the informed and written consent of the person's parents or legal guardians. Article 20, paragraph 3, of the National Defence Act states that "a person under the age of eighteen years shall not be enrolled without the consent of one of the parents or the guardian of that person",

- c) personnel under the age of 18 are fully informed of the duties involved in military service. The Canadian Forces provide, among other things, a series of informational brochures and films on the duties involved in military service to those who wish to enter the Canadian Forces; and
- d) personnel under the age of 18 must provide reliable proof of age prior to acceptance into national military service. An applicant must provide a legally recognized document, that is an original or a certified copy of their birth certificate or baptismal certificate, to prove his or her age.

Chili, 31 juli 2003

The Government of Chile states that, in accordance with its domestic law, the minimum age for the voluntary recruitment of persons into its national armed forces is 17 or 18 years, and on an exceptional basis persons who have attained 16 years of age and meet certain criteria may participate in such programmes for shorter periods with the prior approval of the Director-General of the General Directorate for National Mobilization of the Ministry of National Defence and with the due consent of the parents or legal guardians.

Chili, 13 november 2008

Pursuant to the provisions of article 3, paragraph 4, of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, the Republic of Chile is amending the declaration made when it deposited the instrument of ratification of the Protocol, as follows:

The Government of Chile declares that, in accordance with its internal legislation, the minimum age for voluntary recruitment into its national armed forces is 18 years. As an exception, persons who are 17 years of age may, at their request, advance by one year their ordinary conscription into military service, although they may not be mobilized before they have reached the age of 18.

China, 20 februari 2008

1. The minimum age for citizens voluntarily entering the Armed Forces of the People's Republic of China is 17 years of age.
2. The Government of the People's Republic of China is applying the following safeguard measures in implementing the foregoing provision:
 - 1) The Military Service Law of the People's Republic of China provides that each year, male citizens who have reached 18 years of age by 31 December shall be recruited for active service. To meet the needs of the armed forces and on the principle of voluntary participation, male and female citizens who have not yet reached 18 years of age by 31 December of a given year may be recruited for active service. Citizens eligible for enlistment who have registered for military service but who have not been recruited for active service shall

serve in the enlistees reserves, for which the minimum age is 18. The Regulations on the Recruitment of Soldiers formulated by the State Council and the Central Military Commission of the People's Republic of China on the basis of the Military Service Law of the People's Republic of China, provides that in order to meet the needs of the armed forces and on the principle of voluntary participation, male and female citizens who have not yet reached 17 years of age by 31 December of a given year may be recruited for active service.

2) The Criminal Law of the People's Republic of China provides that whoever engages in favouritism and commits irregularities in conscription work or accepts or delivers unqualified recruits shall be sentenced to not more than three years of fixed-term imprisonment or criminal detention, if the circumstances are serious; such an offender is to be sentenced to not less than three years but not more than seven years of fixed-term imprisonment if the consequences are especially serious.

3) Under the provisions of the Regulations on Honest and Non-Corrupt Recruitment, formulated by the State Council and the Central Military Commission of the People's Republic of China, neither the loosening of recruitment conditions nor the lowering of enlistment standards are to be allowed. They further provide for the implementation of a system of visiting the homes and work units of youth who enlist, and for verifying the ages of enlisting youth.

Colombia, 25 mei 2005

The military forces of Colombia, in application of the norms of international humanitarian law for the protection of the best interests of the child and in application of domestic legislation, do not recruit minors in age into their ranks even if they have the consent of their parents.

Act 418 of 1997, extended through Act 548 of 1999 and amended by Act 642 of 2001, stipulates that persons under 18 years of age shall not be recruited to perform military service. Students in the eleventh grade who are minors, in accordance with Act 48 of 1993, and who are selected to perform such service, shall defer their enlistment until they have reached age 18.

If, on reaching majority, the youth who has deferred military service shall have been matriculated or admitted to an undergraduate programme in an institution of higher education, he shall have the option of serving his duty immediately or deferring it until completion of his studies. If he should choose to serve immediately, the educational institution shall reserve a space for him under the same conditions; if he should choose to defer, the corresponding degree may be granted only when his military service has been completed as ordered by law. Interruption of higher-level studies shall entail the obligation of enlistment into military service. Civilian or military authorities who disregard this provision shall be subject to dismissal on grounds of misconduct.

The youth recruited who has deferred his military service until completion of his professional studies shall fulfil his constitutional duty as a graduate professional or technician in the service of the armed forces in activities of social service to the community, public works and tasks of a scientific or technical nature as required in the respective unit to which he has been assigned. In such case, military service shall be of six months' duration and shall be credited as the rural service year, practicum, industrial semester, year of court internship, obligatory social service or similar academic requirements that the programme of study establishes as a degree requirement. For those entering a law career, such military service may replace the thesis or monograph for the degree and in any case, shall replace the obligatory social service referred to in article 149 of Act 446 of 1998.

Congo, Democratische Republiek, 11 november 2001

Pursuant to article 3, paragraph 2, of the Protocol, the Democratic Republic of the Congo undertakes to implement the principle of prohibiting the recruitment of children into the armed forces, in accordance with Decree-Law No. 066 of 9 June 2000 on the demobilization and rehabilitation of vulnerable groups on active service in the armed forces, and to take all feasible measures to ensure that persons who have not yet attained the age of 18 years are not recruited in any way into the Congolese armed forces or into any other public or private armed group throughout the territory of the Democratic Republic of the Congo.

Costa Rica, 24 januari 2003

... article 12 of the Constitution of the Republic of Costa Rica proscribes the army as a permanent institution. Accordingly, my Government considers that the declaration in question may be dispensed with for the purposes of article 3, paragraph 2, of the Protocol.

Cuba, 9 februari 2007

With respect 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, the Government of the Republic of Cuba declares binding the minimum age of 17 for voluntary recruitment into its armed forces. It also declares that the guarantees and safeguards for this provision are contained in Act No. 75 (the National Defence Act) of 21 December 1994 and Decree-Law No. 224 (the Active Military Service Act) of 15 October 2001.

Cyprus, 1 juli 2008

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 Defense. 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.

Denemarken, 27 augustus 2002

In connection with the deposit of Denmark’s instrument of ratification of the Optional Protocol on the Rights of the Child on the Involvement of Children in Armed Conflict [the Government of Denmark declares] that Danish legislation does not permit the recruitment of any person below the age of 18 in the armed forces.

Dominica, 20 september 2002

... the minimum age at which voluntary recruitment will be permitted into the Police Force (in the absence of national and armed forces) is eighteen (18) years in accordance with the Police Act, Chapter 14:01, Section 5 (a);

... recruitment will be carried out only through a recognized registered body;

... the consent of recruits is voluntary and is witnessed to with a signed declaration;

... an orientation period is provided prior to recruitment with the option of voluntary withdrawal.

Duitsland, 13 december 2004

The Federal Republic of Germany declares that it considers a minimum age of 17 years to be binding for the voluntary recruitment of soldiers into its armed forces under the terms of Article 3 paragraph 2 of the Optional Protocol. Persons under the age of 18 years shall be recruited into the armed forces solely for the purpose of commencing military training.

The protection of voluntary recruits under the age of 18 years in connection with their decision to join the armed forces is ensured by the need to obtain the consent of their legal guardian and the indispensable requirement that they present an identification card or passport as a reliable proof of their age.

Ecuador, 7 juni 2004

The Government of the Republic of Ecuador hereby declares that, in accordance with the provisions of its Constitution, military service is compulsory. Citizens who invoke conscientious objection on moral, religious or philosophical grounds are assigned to community service, in the manner prescribed by the law.

Article 5 of the Act on Compulsory Military Service states that “military obligations begin, for Ecuadorian citizens, at 18 years of age, and end at 55 years of age. The period between the ages of 18 and 55 shall be called “military age”.

Egypte, 6 februari 2007

The Arab Republic of Egypt hereby declares that in accordance with its current laws the minimum age for conscription into the armed forces of Egypt is 18 years and the minimum age for voluntary recruitment into the armed forces is 16 years.

The Arab Republic of Egypt is committed to ensuring that voluntary recruitment is genuine and entirely willing, with the informed consent of the parents or legal guardians after the volunteers have been fully informed of the duties included in such voluntary military service and based on reliable evidence of the age of volunteers.

El Salvador, 18 april 2002

... pursuant to article 3, paragraph 2 of the above-mentioned Protocol, the Government of the Republic of El Salvador declares that the minimum age for Salvadorans who wish to enlist voluntarily for military service is 16 years, in accordance with articles 2 and 6 of the Act on Military Service and Reserves of the Armed Forces of El Salvador. The following is a description of the safeguards that the relevant Salvadoran authorities have adopted to ensure that the military service provided is legally voluntary:

- The 16-year-old minor must submit a written request to the Recruitment and Reserves Office or its subsidiary offices, unequivocally stating a desire to provide military service;
- Submission of the original birth certificate or minor's card;
- Document certifying knowledge of and consent to the request to provide military service from the minor's parents, guardian or legal representative, all in accordance with the provisions of title II on parental authority, article 206 et seq. of the Family Code;
- Acceptance of the request shall be subject to the needs for military service.

Eritrea, 16 februari 2005

The State Eritrea declares that the minimum age for the recruitment of persons into the armed forces is eighteen years.

Filippijnen, de, 26 augustus 2003

1. The minimum age for voluntary recruitment into the Armed Forces of the Philippines is 18 years, except for training purposes whose duration shall have the students/cadets/trainees attain the majority age at the completion date;
2. There is no compulsory, forced or coerced recruitment into the Armed Forces of the Philippines; and,
3. Recruitment is exclusively on a voluntary basis.

Finland, 10 april 2002

The Government of Finland declares in accordance with Article 3, paragraph 2, of the Optional Protocol that the minimum age for any recruitment of persons into its national armed forces is 18 years. The minimum age applies equally to the military service of men and to the voluntary service of women.

Frankrijk, 5 februari 2003

France hereby declares that it recruits only volunteers aged at least 17 who have been informed of the rights and duties involved in military service and that the enlistment of recruits under the age of 18 is valid only with the consent of their legal representatives.

Griekenland, 22 oktober 2003

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 conflicts, Greece declares that the minimum age at which voluntary recruitment in the Greek armed forces is permitted by national law, is 18 years.

Guatemala, 9 mei 2002

In conformity with article 3, paragraph 2 of the aforementioned Protocol, the Government of Guatemala makes the following declaration: Guatemala shall not permit the compulsory recruitment of persons under 18 years of age into its armed forces, and, in keeping with article 3, paragraph 4, of the Convention on the Rights of the Child on the involvement of children in armed conflict, the description of the safeguards it has adopted to ensure that such recruitment is not forced or coerced shall be submitted at a later date.

Heilige Stoel, 24 oktober 2001

The Holy See, with regard to article 3, paragraph 2, of the Protocol, declares that, for what concerns the Vatican City State, the Regulations of the Pontifical Swiss Guard, approved in 1976, establish that the recruitment of its members is only voluntary and that the minimum age is set forth at 19 years.

Honduras, 14 augustus 2002

With the aim of specifying the scope of this Protocol and upon depositing its instrument of accession, the Government of the Republic of Honduras, acting in accordance with article 3 of the Protocol, declares that: 1 (a). Under the legislation of the State of Honduras, the minimum age for voluntary recruitment into the armed forces is 18 years, as part of the country's educational, social, humanist and democratic system".

II. This Agreement shall be submitted to the Sovereign National Congress for consideration, for the purposes of article 205, number 30, of the Constitution of the Republic.

Ierland, 18 november 2002

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 Conflicts, Ireland declares:

In general, the minimum age for recruitment into the Irish armed forces is 17. An exception is made in the case of apprentices, who may be recruited at the age of 16. However, apprentices are not assigned to any military duties until they have completed up to four years apprenticeship trade training, by which time all would have attained the age of 18. Ireland has adopted the following safeguards to ensure that recruitment of personnel under the age of 18 is not forced or coerced:

All recruitment to the Irish armed forces is voluntary. Ireland does not practice conscription and recruitment campaigns are informational in nature. Applicants must fill in an application and are selected on the basis of suitability. Applicants who are offered a Position are under no obligation to accept that position.

All applicants are required to provide proof of age. All unmarried applicants who are under 18 must have the written consent of a parent or guardian. In Ireland a person attains full age or adulthood either on attaining the age of 18 or upon marriage if they marry before that age. Under Irish law a person who is under the age of 18 years may not enter into a valid marriage unless an exemption is granted by the Circuit or High Court.

Iceland, 1 oktober 2001

With regard 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, the Republic of Iceland declares that it has no national armed forces, and hence, a minimum age for recruitment is not applicable in the case of the Republic of Iceland.

India, 30 november 2005

Pursuant to article 3 (2) of the Optional Protocol to the Convention on the Rights of the Child on the involvement of Children in Armed Conflict, the Government of the Republic of India declare that:

- (i) The minimum age for recruitment of prospective recruits into Armed Forces of India (Army, Air Force and Navy) is 16 years. After enrollment and requisite training period, the attested Armed Forces personnel is sent to the operational area only after he attains 18 years of age;
- (ii) The recruitment into the Armed Forces of India is purely voluntary and conducted through open rally system/open competitive examinations. There is no forced or coerced recruitment into the Armed Forces.

Irak, 24 juni 2008

Pursuant to article 3, paragraph 2, the Government of the Republic of Iraq:

- a) Declares that the minimum age at which it permits voluntary recruitment into its national armed forces is 18 years;
- b) Sets forth below a description of the safeguards it has adopted to ensure that such recruitment is not forced or coerced:
 - Such recruitment must be genuinely voluntary;
 - Volunteers must present reliable proof of age prior to acceptance into the national armed forces.

Israël, 18 juli 2005

The Government of the State of Israel declares pursuant to article 3 (2) of the Optional Protocol on the Rights of the Child on the Involvement of Children in Armed Conflict that:

- a) The minimum age in which the State of Israel permits voluntary recruitment into its armed forces is 17 years of age, according to article 14 of the defense service law (consolidated version) 5746-1986;
- b) The Government of the State of Israel maintains the following safeguards in respect of voluntary recruitment into the armed forces so as to ensure that such recruitment is not forced or coerced:

1. In accordance with section 14 of the defense service law (consolidated version) 5746-1986, no person under 18 years of age may enlist in the Israeli armed forces without a written application submitted by the person and the written consent of the person's parents or legal guardian; however, should there be an appreciable difficulty in contacting one of the parents, the written consent of the other parent is sufficient;
2. Clear and precise explanation of the nature of the duties involved in military service is provided to both the person and the person's parents or legal guardian;
3. Prior to acceptance of any person into the Israeli armed forces a reliable proof of age is obtained through the Ministry of the Interior's official national population registry.
4. The IDF has several long-term programs in which participants may engage in academic or rabbinic studies or perform volunteer work, prior to the commencement of their actual military service. Enrollment in these programs is open to participants from the age of 17.5. For administrative purposes, these participants undergo a one-day administrative induction into the armed forces. Following their administrative induction, these participants are released from active service and enroll in their chosen program.
5. Persons under 18 years of age, who enlist in one of the aforementioned ways, may in no case be posted to combat duty.

Italië, 9 mei 2002

The Government of the Italian Republic declares, in compliance with article 3:

- That Italian legislation on voluntary recruitment provides that a minimum age of 17 years shall be required with respect to requests for early recruitment for compulsory military service or voluntary recruitment (military duty on a short-term and yearly basis);
- That the legislation in force guarantees the application, at the time of voluntary recruitment, of the provisions of article 3, paragraph 3, of the Protocol, inter alia, as regards the requirement of the consent of the parent or guardian of the recruit.

Jamaica, 9 mei 2002

Pursuant to Article 3 (2) of the Optional Protocol to the Convention on the Rights of the Child on the involvement of Children in Armed Conflict, Jamaica hereby declares that:

1. The Jamaica Defence Force permits voluntary recruitment and enlistment at the minimum age of 18 years.
 2. The Jamaica Defence Force has adopted the following safeguards, under the 1962 Defence (Regular Force Enlistment And Service Regulations) Act, to ensure that recruitment of personnel under the age of 18 is not forced or coerced;

a) All recruitment to the Jamaica Defence Force is voluntary. If an individual wishes to enter the Jamaica Defence Force, he or she completes the relevant application (Notice Paper) form in accordance with Section 5 of the Act;

b) The applicant is given the notice paper with the condition and warning that if he knowingly makes a false attestation, he is liable to be punished;

c) The recruiting officer shall satisfy himself that the person offering to enlist is, or as the case may be, is not, over the age of eighteen years;

d) The recruiting officer shall read or cause to be read to the person the questions set out in the attestation paper and shall ensure that the answers are duly recorded thereon;

e) Written parental consent is required for applicants who have attained the age of 17 1/2 years. Persons in this category are not permitted to graduate as trained soldiers from training institutions, until they have attained the age of eighteen (18) years.

3. Personnel must provide reliable proof of age prior to acceptance into national military service, in the form of a legally recognized document, that is, an original or a certified copy of their birth certificate.

If the Jamaica Defence Force offers a particular position to the candidate, he or she is not compelled to accept the position.

Japan, 2 augustus 2004

In accordance with 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, the Government of Japan declares as follows:

The Government of Japan, by relevant laws and regulations, recruits only those who are at and above the minimum age of 18 as a member of the Japan Self-Defense Forces, with the exception of the cases of the students solely receiving educational training at the schools within the structure of the Japan Self-Defense Forces (hereinafter referred to as "the Youth Cadets"), which come under "schools" stipulated in Article 3, paragraph 5 of the Optional Protocol.

The minimum age of recruitment of the Youth Cadets is 15 years.

In Japan, the safeguards to ensure that the recruitment of the Youth Cadets is not forced or coerced are as follows:

1. In accordance with the provisions of the Law on the Japan Self-Defense Forces (Law No 165/1954), the recruitment of personnel of the Japan Self-Defense Forces including the Youth Cadets is required to be based upon examination or selection, and it is prohibited to use such measures as threat, compulsion and similar means with the intention of realizing unjust recruitment of the members.
2. Further, in recruiting the Youth Cadets, the following shall be confirmed beforehand in accordance with the Instruction on the recruitment of the students of the Japan Self-Defense Forces (Japan Defense Agency Instruction No 51/1955).
 - 1) Either the person who executes the parental authority over a Youth Cadet or his/her guardian gives consent to the recruitment.
 - 2) The candidate for a Youth Cadet is fully informed of the duties to be involved in advance.
 - 3) A proof of the age of the Youth Cadets for being at or over 15 years is provided by a certifying document.

Jemen, 2 maart 2007

In accordance with 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, the Government of the Republic of Yemen declares its commitment to retaining 18 years as the minimum age for voluntary recruitment into the Yemeni armed forces, as well as to retaining the ban on the compulsory or voluntary recruitment of any person under 18 years of age.

Jordanië, 23 mei 2007

I, Abdul Ilah Khatib, Minister for Foreign Affairs of the Hashemite Kingdom of Jordan, by the powers vested in me, with respect to Jordan's ratification of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, and in accordance with article 3, paragraph 2, thereof providing for the deposit of a binding declaration on the minimum age for voluntary enlistment into the national armed forces and safeguards ensuring that such recruitment is not forced or coerced, do hereby declare the following:

1. The minimum age for mandatory conscription into the Jordanian Armed Forces is 18 years, in accordance with article 3, paragraph (a), of the Military Service Act (No. 23 of 1986) and amendments thereto.
2. The minimum age for voluntary enlistment is 16 years, in accordance with article 5, paragraph (b), of the Service of Individuals in the Armed Forces Act (No. 2 of 1972) and amendments thereto.
3. The minimum age for voluntary enlistment at the rank of officer is 17 years, in accordance with article 13, paragraph 2 (b), of the Officer Service Act (No. 35 of 1966).
4. The safeguards adopted by the Armed Forces to ensure that there is no forced or coerced recruitment of persons under the age of 18 are as follows:

Presentation of documentary evidence of age is required prior to acceptance of any person into military service. A birth certificate is relied on as an official document for determining the age of a recruit. Those wishing to enlist voluntarily are informed clearly and in detail of the duties entailed by military service. Voluntary enlistment takes place with the permission of the parents or legal guardians of the recruits.

Kaapverdië, 10 mei 2002

[The Republic of Cape Verde] declare[s] on behalf of the Cape Verdean Government, that the minimum age for special voluntary recruitment into the Cape Verdean armed forces is 17 years in accordance with article 31 of Legislative Decree No. 6/93 of 24 May 1993, published in official gazette No.18, series I.

Moreover, Decree-Law No. 37/96 of 30 September 1986, published in official gazette No. 32, series I, which governs the provisions contained in the above-mentioned Legislative Decree, states the following in its article 60:

Special recruitment ... shall apply to citizens, who of their own freely expressed will, decide to enter military service subject to meeting the following requirements:

- a) They must have attained the minimum age of 17 years;
- b) They must have the consent of their parents or legal guardians;
- c) They must be mentally and physically fit for military service.

Article 17 of Legislative Decree No. 6/93 and articles 29 and 63 of Decree-Law No. 37/96 provide that persons to be enrolled must be fully informed through appropriate documentation prepared by the high command of the armed forces about the duties involved in national military service.

Under article 28 of that Decree-Law, all volunteers shall provide, prior to enlistment and as reliable proof of identity, their national identity card or passport.

While article 8 of Legislative Decree No. 6/93 provides that in war time the minimum/maximum age for recruitment may be amended, the fact that Cape Verde is bound by the Convention on the Rights of the Child and is becoming a party to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, means that in no case shall the minimum age for recruitment be lower than 17 years. Indeed, article 12, paragraph 4, of the Constitution provides that the norms and principles of general international law and international treaty law duly approved or ratified shall take precedence, after their entry into force in the international and domestic legal system, over all domestic municipal legislative or normative acts under the Constitution.

Kazachstan, 10 april 2003

Pursuant to article 3, paragraph 2, of the Optional Protocol to the Convention on the Rights of the Child on Involvement of Children in Armed Conflicts, the Republic of Kazakhstan hereby declares:

In accordance with the Military Service on Contract Basis Act No. 167-II 3PK of March 20, 2001:

1. Military Service on Contract Basis grounded on the principles of legitimacy, voluntary recruitment, professionalism and competency, social security and protection of rights of military servants.
2. Every military servant is entitled in full equality in his or her rights. No one shall be limited in his or her rights or attain any advantages realising the rights with regard to sex, age, race, nationality, language, religion, official capacity and social status.
3. Article 17, paragraph 1 permits voluntary recruitment at the minimum age of 19.
4. According to the article 14, paragraph 1 a contract should obligatory include description of the identification document, number and date of issue of the document, number of social individual code and tax-payer's registration number.

Kenia, 28 januari 2002

The Government of the Republic of Kenya declares that the minimum age for the recruitment of persons into the armed forces is by law set at eighteen years. Recruitment is entirely and genuinely voluntary and is carried out with the full informed consent of the persons being recruited. There is no conscription in Kenya.

The Government of the Republic of Kenya reserves the right at any time by means of a notification addressed to the Secretary-General of the United Nations, to add, amend or strengthen the present declaration. Such notifications shall take effect from the date of their receipt by the Secretary General of the United Nations.

Koeweit, 26 augustus 2004

... the Government of the State of Kuwait is committed to maintaining the minimum age for voluntary service in the Kuwaiti armed forces at 18 years of age, and to prohibiting the forced conscription of any persons under the age of 18, pursuant to article 3, paragraph 2 of the aforementioned Protocol.

Kroatië, 1 november 2002

... The Republic of Croatia makes the following declaration in relation 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 Conflicts:

Related 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 Conflicts, the Republic of Croatia states that Croatian legislation

prevents persons under 18 from joining the Armed Forces of the Republic of Croatia.

In order to ensure that persons under 18 do not join its Armed Forces, the Republic of Croatia has made the following provisions:

- It has been stipulated by law that military service consists of duty to register as a recruit, to enter military service (conscription), and to serve in the reserves in the Armed Forces of the Republic of Croatia;
- The duty to register as a recruit arises in the calendar year in which a person turns 18, and remains until the person enters military service (conscription) or service in civilian life i.e. until the person is transferred to the reserves or until military service ceases pursuant to the provisions of the Defence Act. The process of recruitment includes registration in the military records, medical and other examinations, psychological tests and recruitment itself. It is a preliminary procedure required in order to determine whether a person is eligible for military service. The status of the recruit remains valid until entering military service (conscription) to which, according to the law, a recruit may not be sent before reaching the age of 18;
- Eligible recruits are sent to do their military service (conscription) after they come of age (turn 18), normally in the calendar year in which they turn 19, thereby becoming conscripts. Recruits are not part of the Armed Forces of the Republic of Croatia; conscripts make one component of the Armed Forces of the Republic of Croatia.

Kyrgyzstan, 13 augustus 2003

In accordance with the 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, adopted in New York, 25 May 2000, I have the honour to declare that in the Kyrgyz Republic the minimum age for recruitment of its citizens (men) to an active military service is limited by the age of 18 years (Article 10 of the Law of the Kyrgyz Republic “On the general military service of citizens of the Kyrgyz Republic”).

Laos, 20 september 2006

In accordance with the Law of the Lao People’s Democratic Republic, the minimum age at which it will permit voluntary recruitment into its national armed forces is 18 (eighteen). The law on obligations of national defense service stipulates in Article 13 that ‘all young men of Lao nationality between 18 (eighteen) and 28 (twenty-eight) years of age, having good health conditions, shall be obliged to serve for a short-term in national defense forces. In case of necessity, young women between 18 (eighteen) and 23 (twenty-three) years of age may also be called upon to serve for a short-term in national defense; and in Article 7 that following health check-up, there shall be a selection process at a district level to select voluntary recruits, with good health, into short-term defense services, according to the recruitment number officially set forth on a yearly basis.’

Lesotho, 24 september 2003

In response to article 3 (2) of the Optional Protocol, in accordance with the Lesotho Defence Force Act of 1996, section 18 thereof, the minimum age at which the Government of Lesotho permits voluntary recruitment into the national armed forces is when the interested person has already attained the age of 18.

Such recruitment is voluntary as would be recruits submit applications for advertised vacancies in the armed forces.

Letland, 19 december 2005

1. according to the Article 17 paragraph 1 of the Mandatory Military Service Law adopted by the Parliament of the Republic of Latvia on 19th day of February 1997 citizens from the age of 19 years to the age of 27 years shall be liable for mandatory active military service;

2. according to the Article 17 paragraph 2 of the Mandatory Military Service Law male and female persons from the age of 18 years to the age of 27 years may enlist voluntarily for mandatory active military service.

Libië, 29 oktober 2004

... the required legal age for volunteering to serve in the armed forces of the Great Socialist People's Libyan Arab Jamahiriya, according to the national legislation thereof, is eighteen years.

Liechtenstein, 4 februari 2005

The Principality of Liechtenstein declares that, with respect to the Principality of Liechtenstein, articles 1 and 2 as well as article 3, in particular paragraph 2, of the Optional Protocol of 25 May 2000 to the Convention on the Rights of the Child of 20 November 1989 on the involvement of children in armed conflict have to be understood in light of the fact that the Principality of Liechtenstein has no national armed forces and that hence no legislation on a minimum age for the recruitment of persons into the armed forces and for taking part in hostilities exists. The Principality of Liechtenstein regards the ratification of the Optional Protocol as part of its continuing commitment to the protection of the rights of children and at the same time as an act of its solidarity with the objectives of the said Protocol.

Litouwen, 20 februari 2003

... the Republic of Lithuania declares that under Republic of Lithuania law the citizens of the Republic of Lithuania under the age of 18 years may not serve in the national armed forces: the minimum age of citizens of the Republic of Lithuania for voluntary recruitment into the active military service is 18 years, and the minimum age of citizens of the Republic of Lithuania for enlisting into the mandatory military service must be 19 years. Compulsory recruitment of children under the age of

18 years into the national armed forces shall involve liability under law of the Republic of Lithuania.

Luxemburg, 4 augustus 2004

The Government of the Grand Duchy of Luxembourg declares that, in accordance with article 3 of the Protocol, the minimum age at which voluntary recruitment to the army of Luxembourg shall be permitted is 17 years.

The following principles shall be observed in recruiting persons aged 17 years:

1. Recruitment shall be on a voluntary basis.
2. Voluntary recruits under the age of 18 must have the written consent of their parents or legal guardian.
3. Voluntary recruits under the age of 18 may not take part in the following military operations:
 - 1) At the national level:
 - a) The defence of the Grand Duchy's territory in the event of armed conflict.
 - 2) At the international level:
 - a) Contributing to the collective or common defence within the framework of the international organizations of which the Grand Duchy is a member;
 - b) Taking part within such a framework in humanitarian and evacuation missions, peacekeeping missions, and combat missions for crisis management, including peacemaking operations.
4. Voluntary recruits shall be fully informed, prior to their recruitment, of the duties connected with military service.
5. Voluntary recruits may withdraw from their military service at any time.

Macedonië, Voormalige Joegoslavische Republiek, 12 januari 2004

Related 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 Conflicts the Republic of Macedonia states that under the Macedonian legislation there are no possibilities, neither on obligatory or voluntary grounds, to direct any person younger than 18 years of age to military service, i.e. there is no opportunity to violate the right to a special protection of persons of less than 18 years of age. In order to ensure that persons under 18 do not join its Armed Forces, the Republic of Macedonia has made the following provision:

Article 62 of the Law on Defense of the Republic of Macedonia sets forth that draftees shall be directed to military service after attaining 19 years of age. The draftee who requests to be drafted for military service shall be directed to military service after three months from the day of submission of the application, if he/she has attained 18 years of age.

Madagaskar, 22 september 2004

Pursuant to article 11 of Edict No. 78-002 of 16 February 1978 on the general principles governing National Service, young men and women aged 18 years or more may request to be recruited into the Armed Forces or outside the Armed Forces before young men and women of their age-group. Any citizen may, from the age of 18 onwards, enlist in the Armed Forces for an indefinite period.

In order to preserve his or her contractual liberty, the person requesting voluntary enlistment shall submit a request approved by his or her parents or legal guardian. Offences against the requirements of these provisions shall be prosecuted and penalized under the Code of Justice on National Service or the Penal Code.

Maldiven, de, 29 december 2004

1. The Minimum age at which the Maldives permits recruitment to its National Security Service and its Police Service is 18 years.
2. Any individual who wishes to enter the National Security Service and the Police Service has to apply for it in writing.
3. All applicants are required to present proof of birth date.
4. All applicants short listed for recruitment are carefully screened for medical fitness.

Mali, 16 mei 2002

In accordance with 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, the Government of the Republic of Mali declares that the minimum age for voluntary recruitment into the national armed forces is 18 years of age or older. No boy or girl under 18 years of age may be recruited or be allowed to be recruited, even on a voluntary basis, or be enrolled as a member of the national armed forces.

The Government of Mali is fully committed to this declaration and pledges to impose on anyone who violates such provision a penalty commensurate with the seriousness of the offence as provided for under its criminal law.

Children who are unlawfully recruited into the armed forces may, depending on their individual circumstances, receive support for their economic and social rehabilitation and reintegration.

Malta, 9 mei 2002

Under the Malta Armed Forces Act (Chapter 220 of the Laws of Malta), enacted in 1970, enlistment in the Armed Forces of Malta shall be made on a voluntary basis and no person under the age of seventeen years and six months may be so enlisted. A person under 18 years may not be enlisted unless consent to the enlistment is given in writing by the father of such person or, if such person is not subject to paternal authority, by the mother or by an other person in whose care the person offering to enlist may be. In any case, the term of engagement of a person enlisting

under the age of 18 expires on reaching 18 years of age and enlistment has to be renewed. It is a mandatory condition for enlistment of potential recruits to produce a birth certificate from the national Civil Status Office to attest their age.

The Malta Armed Forces Act also provides that any person of whatever age offering to enlist in the regular force shall, before enlistment, be given a notice on the prescribed form stating the general conditions of engagement and the recruiting officer shall not enlist any person in the regular force unless satisfied that the potential recruit has been given such notice, understood its contents and wishes to be enlisted.

In practice the Armed Forces of Malta do not recruit and have not since 1970 recruited persons under the age of 18 years. The Government of Malta further declares that if in future recruitment of persons under 18 years were made such members of the armed forces will not take part in hostilities.

Regulations under the Malta Armed Forces Act provide for a Junior Leaders Scheme whereby persons under the age of seventeen and six months could be recruited for training but in a non-combatant position, but in effect no such recruitment has taken place since 1970.

Marokko, 22 mei 2002

Pursuant to paragraph 2 of the article concerning the involvement of children in armed conflicts, the Kingdom of Morocco declares that the minimum age required by national law for voluntary recruitment in the armed forces is 18 years.

Mauritius, 12 februari 2009

The Government of the Republic of Mauritius declares, in accordance with article 3 (2) of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, that the minimum age for voluntary recruitment of persons into its paramilitary force is 18 years.

Mexico, 15 maart 2002

In accordance with article 3, paragraph 2 of the Optional Protocol, the United Mexican States declares:

- (i) That the minimum age for voluntary recruitment of its nationals into the armed forces is 18 years;
- (ii) That article 24 of the Military Service Act provides that only volunteers will be accepted into the armed forces for active service until the figure set annually by the Ministry of Defence has been met and provided that the following conditions are fulfilled:
 - I. They must submit an application;
 - II. They must be Mexican nationals who are over 18 but not over 30, and must be under 40 in the case of personnel enlisted as specialists in the army;

Those over 16 and under 18 shall be accepted into signals units for training as technicians under contracts with the State not exceeding five years in duration. Moreover, under article 25 of the Military Service Act, only the following persons may be accepted for early enlistment in the armed forces:

- I. Those who wish to leave the country at the time when they would be required by law to undertake military service if they are over 16 at the time of requesting enlistment;
- II. Those who are obliged to request early enlistment because of their studies.

The maximum number of individuals who may be allowed to enlist early shall be set every year by the Ministry of Defence; and
 In ratifying the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, adopted by the General Assembly of the United Nations on 25 May 2000, the Government of the United Mexican States considers that any responsibility deriving therefrom for non-governmental armed groups for the recruitment of children under 18 years or their use in hostilities lies solely with such groups and shall not be applicable to the Mexican State as such. The latter shall have a duty to apply at all times the principles governing international humanitarian law.

Moldavië, 7 april 2004

In accordance with article 3 paragraph 2 of the Protocol, the Republic of Moldova declares that the minimum age for recruitment into conscript military service in the Republic of Moldova is 18 years.

Monaco, 13 november 2001

The Principality of Monaco declares, in accordance with 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, that it is bound by the Franco-Monaguesque Treaty of 17 July 1918 and that the French Republic thereby ensures the defence of the territorial integrity of the Principality of Monaco.

The only bodies having military status in the Principality are the Prince's Guard and the Fire Brigade. In accordance with the provisions of Sovereign Ordinance No. 8017 of 1 June 1984 relating to the Police Code, members of the Guard and the Fire Brigade must be at least 21 years of age.

Mongolië, 6 oktober 2004

Under the relevant law of Mongolia the minimum age for recruitment into military service is 18 years. Mongolian male citizens of 18 to 25 years have the duty to fulfill a military service. Men of 18 to 25 years who have not fulfilled their military service for the reasons of their religious faith or moral belief may fulfill an alternative service for a period of 24 to 27 months with rescue or professional units or divisions of

the General Department on Disaster Management, assisting forces of the Border Troops or other humanitarian organizations.

Montenegro, 2 mei 2007

The Republic of Montenegro hereby declares that in accordance with article 3, paragraph 2, the Government of the Republic of Montenegro does not impose mandatory military service. The minimum age at which Montenegro will permit voluntary recruitment into its national armed forces shall be 18 years. This provision is already prescribed in the Bill on Defence and Bill on the Army of the Republic of Montenegro, which are currently in the procedure in the Montenegrin Government.

Mozambique, 19 oktober 2004

... in accordance with the Mozambican legislation, the minimum age for enlistment into its national armed forces is 18 years,

The Republic of Mozambique declares, also that according to the law, the incorporation starts at the age of 20.

The Republic of Mozambique, furthermore declares that in case of war the age for the military service can be modified.

Namibië, 16 april 2002

Pursuant to article 3, paragraph 2, of the Optional Protocol to the Convention on the Rights of the Child on Involvement of Children in Armed Conflicts, Namibia hereby declares:

1. The Namibian Defence Force permit voluntary recruitment at the minimum age of 18 years.

2. The Namibian Defence Force have adopted the following safeguards to ensure that recruitment of personnel at the age between 18 and 25 years is not forced or coerced.

a) Advertisements on the availability of military career opportunities in the Namibian Defence Force are placed yearly in the local print and broadcast for the purposes of inviting interested young men and women to apply.

b) As a standpoint the candidate is not obliged to accept the position if the Namibian Defence Force offer a particular position.

c) Military career opportunities may emanate from Infantry, Engineering, Air wing, Maritime Wing, Communication and Medical Services. The potential recruits undergo instruction courses to give them an overview of what is expected of them as future soldiers in respect of military career opportunities stated under paragraph 2 c). The recruits may select their career paths after training.

d) To ensure the absence of any possible form of remote or direct coercion the Namibian Defence Force requires that

(i) the potential recruit should not have previous criminal records or convictions

(ii) the potential recruits be Namibian Citizens

3. As a standpoint and policy Namibia Defence Force does not allow voluntary recruitment under the age of 18 years thus:
 - (i) as proof of age requires that the candidates show certified copies of legally recognised Namibian identity documents as well as birth certificates.
4. All recruitments of personnel in the Namibian Defence Force are voluntary. Namibia does not practice conscription or any form of forced obligatory service.

Nederlanden, het Koninkrijk der, 24 september 2009

On the occasion of the deposit of the instrument of ratification of 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) by the Kingdom of the Netherlands, and in accordance with Article 3, paragraph 2, of the Protocol, the Government of the Kingdom of the Netherlands declares that the minimum age at which the legislation in the Netherlands permits voluntary recruitment into its national Armed Forces for both soldiers and commissioned or non-commissioned officers, remains eighteen years. However, persons that have reached the age of seventeen years, may on a strictly voluntary basis be recruited as military personnel in probation.

The relevant legislation in the Netherlands provides the following safeguards to ensure that such recruitment of persons under the age of eighteen years is not forced or coerced:

1. Appointment of such persons under the age of 18 years as a member of the armed forces in probation is only permitted with written consent of the parents of this person.
2. When the age of eighteen years has been reached, the member of the armed forces on probation can only become a regular soldier after having given written consent to this effect.

Moreover, the Law on Military Personnel 1931 ensures that a person under the age of eighteen years will not participate in an armed conflict, providing in particular that members of the armed forces on probation will not be tasked with peacekeeping or humanitarian missions, or any other form of armed service.

The above does not apply to the Netherlands Antilles and Aruba. The relevant legislation in the Netherlands Antilles and in Aruba sets the minimum age for joining the military service and other armed forces at 18 years. Furthermore, voluntary recruitment does not exist in the Netherlands Antilles and Aruba.

Nepal, 3 januari 2007

1. The minimum age for recruitment in the Nepal Army and the Armed Police Force shall be 18 years.
2. The recruitment in the Nepal Army and the Armed Police Force shall be voluntary and shall be conducted through open competition.

Nicaragua, 17 maart 2005

In accordance with the requirements currently in force, young persons of both sexes wishing to enter the Nicaraguan armed forces must:

1. Be between 18 and 21 years of age. Young persons choosing a military career must submit a notarized authorization from their parents or guardians in order to prevent recruitment by force or coercion;
2. Be Nicaraguan nationals;
3. Be physically and mentally fit;
4. Be unmarried and without children;
5. Not be subject to criminal proceedings and not have been convicted by the country's jurisdictional bodies;
6. Consent voluntarily and freely to join the Nicaraguan army.

Nieuw-Zeeland, 12 november 2001

The Government of New Zealand declares that the minimum age at which New Zealand will permit voluntary recruitment into its national armed forces shall be 17 years. The Government of New Zealand further declares that the safeguards which it has adopted to ensure that such recruitment is not forced or coerced include the following:

- a) Defence Force recruitment procedures requiring that persons responsible for recruitment ensure that such recruitment is genuinely voluntary;
- b) legislative requirements that the consent of parent or guardian is obtained for enlistment where such consent is necessary under NZ law. The parent or guardian must also acknowledge that the person enlisting will be liable for active service after reaching the age of 18 years;
- c) a detailed and informative enlistment process, which ensures that all persons are fully informed of the duties involved in military service prior to taking an oath of allegiance; and
- d) a recruiting procedure, which requires enlistees to produce their birth certificate as reliable proof of age.

... consistent with the constitutional status of Tokelau and taking into account the commitment of the Government of New Zealand to the development of self-government for Tokelau through an act of self-determination under the Charter of the United Nations, this acceptance shall not extend to Tokelau unless and until a Declaration to this effect is lodged by the Government of New Zealand with the Depositary on the basis of appropriate consultation with that territory.

Noorwegen, 23 september 2003

Pursuant to Article 3, second paragraph, of the Protocol, the Government of the Kingdom of Norway declares that the minimum age for voluntary recruitment to the armed forces is 18 years.

Oekraïne, 11 juli 2005

Ukraine confirms its obligations taken under Article 38 of the Convention on the Rights of the Child in case of the armed conflicts which concern children and, referring to paragraph 2 of Article 3 of the Optional

Protocol, declares hereby that the minimum age for the voluntary (on a contractual basis) joining into its national armed forces is 19 years.

Ukraine, in accordance with the provisions of its national legislation, guarantees its adherence to the exclusive principle of voluntarism in the process of recruitment of citizens into its armed forces on a contractual basis, without any manifestation of violence and enforcement.

Oezbekistan, 23 december 2008

To paragraph 2 of article 3 of the Optional Protocol : the Republic of Uzbekistan declares that, according to the Law of the Republic of Uzbekistan “On general military duty and military service” adopted on 12 December 2002 enrollment of citizens to the Armed Forces of the Republic of Uzbekistan shall be allowed only after attainment by them of eighteen years of age.

Oman, 17 september 2004

... subject to the Sultanate’s reservations to the Convention on the Rights of the Child.

... the minimum legal age for enlistment in the Ministry of Defence and the Sultan’s armed forces is eighteen years; that a birth certificate or a certificate of ascertainment of age from the competent governmental authorities constitutes the precautionary measure for ensuring compliance with that requirement; and that enlistment is optional, not compulsory.

Bezwaar door Duitsland, 17 november 2005

The Government of the Federal Republic of Germany has carefully examined the reservation made by the Government of the Sultanate of Oman to the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict.

The reservation refers to all the provisions of the instrument that do not accord with Islamic law or the legislation in force in the Sultanate of Oman.

The Government of the Federal Republic of Germany is of the opinion that the aforesaid restrictions make it unclear to which extent the Sultanate of Oman considers itself bound by the obligations from the Optional Protocol and that this gives rise to serious doubts as to the commitment of the Sultanate of Oman to the object and purpose thereof. The Government of the Federal Republic of Germany therefore objects to the reservation made by the Sultanate of Oman to the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict. This objection shall not preclude the entry into force of the Optional Protocol between the Federal Republic of Germany and the Sultanate of Oman.

Bezwaar door Finland, 15 november 2005

The Government of Finland has carefully examined the reservations made by the Government of the Sultanate of Oman to the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict. The Government of Finland notes that the provisions of the Optional Protocol shall, according to the Government of the Sultanate of Oman, be subject to reservations concerning Islamic and domestic law. The Government of Finland notes that a reservation which consists of a general reference to religious or other national law without specifying its contents does not clearly define to other Parties to the Convention the extent to which the reserving State commits itself to the Convention and creates serious doubts as to the commitment of the receiving State to fulfil its obligations under the Convention. Such reservations are, furthermore, subject to the general principle of treaty interpretation according to which a party may not invoke the provisions of its domestic law as justification for a failure to perform its treaty obligations.

The Government of Finland therefore objects to the above-mentioned reservations made by the Government of the Sultanate of Oman to the Protocol. This objection does not preclude the entry into force of the Protocol between the Sultanate of Oman and Finland. The Protocol will thus become operative between the two states without the Sultanate of Oman benefiting from its reservations.

Bezwaar door Noorwegen, 2 december 2005

... Norway has examined the second and third reservations made by the Government of the Sultanate of Oman on 17 September 2004 on accession to the Optional Protocol to the Convention on the Rights of the Child on Involvement of Children in Armed Conflict (New York, 25 May 2000) which concern Islamic and domestic law and limits imposed by the material resources available.

The Government of Norway is of the view that these general reservations raise doubts as to the full commitment of the Sultanate of Oman to the object and purpose of the Optional Protocol to the Convention on the Rights of the Child on Involvement of Children in Armed Conflict and would like to recall that according to customary international law as codified in the Vienna Convention on the Law of Treaties, a reservation incompatible with the object and purpose of the Convention shall not be permitted. The Government of Norway therefore objects to the aforesaid reservations made by the Government of the Sultanate of Oman to the Optional Protocol to the Convention on the Rights of the Child on Involvement of Children in Armed Conflict. This objection does not preclude the entry into force, in its entirety, of the

Convention between Norway and the Sultanate of Oman, without the latter benefiting from these reservations.

Bezwaar door Polen, 1 december 2005

The Government of the Republic of Poland [has] examined the reservation made by the Government of the Sultanate of Oman upon accession to the Optional Protocol to the Convention on the Rights of the Child as regards the participation of children in armed conflicts, which confirms that the reservations made to the Convention are currently valid. The above mentioned reservations refer in general to all the provisions of the Convention which are not in accordance with Islamic Law of the legislation of the Sultanate of Oman and stipulate that the provisions of the Convention should be applied within the limits imposed by the materials resources available.

The Government of the Republic of Poland considers that reservations do not specify the extent to which the Sultanate of Oman has accepted the obligations of the Convention are contrary to the object and purpose of the Protocol, i.e., to guarantee better protection of the rights of the child set forth in the Convention. The Government of the Republic of Poland would like to note that pursuant to article 19 of the Vienna Convention on the Law of Treaties, any reservations contrary to the scope and purpose of the treaty are unacceptable.

The Government of Poland therefore objects to the aforesaid reservation made by the Government of the Sultanate of Oman to the Optional Protocol.

However, this objection shall not preclude the entry into force of the Optional Protocol between the Republic of Poland and the Sultanate of Oman.

Bezwaar door Spanje, 2 december 2005

The Government of the Kingdom of Spain has examined the reservations made by the Sultanate of Oman on 17 September 2004 upon its accession to the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict of 25 May 2004.

The Government of the Kingdom of Spain notes that the Optional Protocol is subject to the reservations made by the Sultanate of Oman to the Convention on the Rights of the Child. The reservations to the Convention include a general reservation to all those provisions of the Convention that do not accord with Islamic Law or the legislation in force in the Oman and a reservation to the effect that the provisions of the Convention should be applied within the limits imposed by the material resources available.

The Government of the Kingdom of Spain considers that the above mentioned reservations which subordinate all the provisions of the Optional Protocol to Islamic Law or the legislation in force in Oman, to which a reference of general nature is made, without either specifying its content or the limits imposed by the material resources available, do not permit to clearly determine the extent to which Oman has accepted the obligations derived from the Optional Protocol, and thereby such reservations raise doubts as to the Sultanate of Oman's commitment to the object and purpose of the Optional Protocol.

The Government of the Kingdom of Spain considers that the reservations made by the Sultanate of Oman to the Optional Protocol to the Convention on the Rights of the Child on the involvement of Children in Armed Conflict are incompatible with the object and the purpose of the Optional Protocol.

The Government of the Kingdom of Spain recalls that in accordance with customary international law as codified in the Vienna Convention on the Law of Treaties, reservations which are incompatible with the object and the purpose of a treaty are not permitted.

Consequently, the Government of the Kingdom of Spain objects to the reservations made by the Sultanate of Oman to the Optional Protocol to the Convention on the Rights of the Child on the involvement of Children in Armed Conflict.

This objection shall not preclude the entry into force of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict of 25 May 2000 between the Kingdom of Spain and the Sultanate of Oman.

Bezwaar door Verenigd Koninkrijk, het, 17 augustus 2005

The Government of the United Kingdom have examined the reservations made by the Government of the Sultanate of Oman 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 17 September 2004 in respect of Islamic and domestic law and of limits imposed by the material resources available.

The Government of the United Kingdom consider that Oman's reservations do not clearly define for the other States Parties to the Convention the extent to which the reserving State has accepted the obligations of the Convention. The Government of the United Kingdom therefore object to the aforesaid reservations made by the Government of Oman.

This objection shall not preclude the entry into force of the Convention between the United Kingdom of Great Britain and Northern Ireland and Oman.

Bezwaar door Zweden, 5 oktober 2005

The Government of Sweden has examined the Oman reservation to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

The Government of Sweden notes that the Optional Protocol is made subject to the reservation formulated by the Government of Oman concerning the Convention of Rights of the Child. The reservation to the Convention contains a general reservation to all the provisions of the Convention that do not accord with Islamic law or the legislation in force in Oman. It also contains a general limitation of the application of the Convention, which stipulates that the provisions of the Convention should be applied within the limits imposed by the material resources available.

The Government of Sweden is of the view that the reservations which do not clearly specify the extent of Oman's derogation from the provisions in question raises serious doubts as to the commitment of Oman to the object and purpose of the Optional Protocol. The Government of Sweden wishes to recall that, according to customary international law as codified in the Vienna Convention on the Law of Treaties, a reservation that is incompatible with the object and purpose of a treaty shall not be permitted.

It is in the common interest of States that treaties to which they have chosen to become parties are respected as to their object and purpose, by all parties, and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.

The Government of Sweden therefore objects to the aforesaid reservation made by the Government of Oman to the Optional Protocol to the Convention of the Rights of the Child in Armed Conflicts and considers the reservation null and void. This objection shall not preclude the entry into force of the Optional Protocol between Oman and Sweden. The Optional Protocol enters into force in its entirety between Oman and Sweden, without Oman benefiting from its reservation.

Oost-Timor, 2 augustus 2004

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 conflicts the Government of Timor-Leste declares, that the minimum age for voluntary recruitment into its national armed forces is 18 years, as specified by the domestic law of Timor-Leste.

Oostenrijk, 1 februari 2002

Under Austrian law the minimum age for the voluntary recruitment of Austrian citizens into the Austrian army (Bundesheer) is 17 years.

According to paragraph 15, in conjunction with paragraph 65 (c) of the Austrian National Defence Act 1990 (Wehrgesetz 1990), the explicit consent of parents or other legal guardians is required for the voluntary recruitment of a person between 17 and 18 years.

The provisions of the Austrian National Defence Act 1990, together with the subjective legal remedies guaranteed by the Austrian Federal Constitution, ensure that legal protection in the context of such a decision is afforded to volunteers under the age of 18. A further guarantee derives from the strict application of the principles of rule of law, good governance and effective legal protection.

Panama, 8 augustus 2001

The Republic of Panama, in ratifying the Protocol, declares that it has no armed forces. The Republic of Panama has a civilian security force consisting of the National Police, the National Air Service, the National Maritime Service and the Institutional Protection Service. Their legal charters define the requirements for recruitment of personnel by such institutions and stipulate that recruits must have reached the age of majority, i.e. 18 years.

Paraguay, 27 september 2002

... on behalf of the Government of the Republic of Paraguay, that in accordance with the relevant national and international legal norms, it has been decided to establish the age of sixteen (16) years as the minimum age for voluntary recruitment into the armed forces. Moreover, the measures adopted to permit voluntary recruitment will be in conformity with the principles laid down in article 3, paragraph 3 of the Optional Protocol.

Paraguay, 22 maart 2006

I declare, on behalf of the Government of the Republic of Paraguay, that it has been decided to set the minimum age for recruitment into the Armed Forces at eighteen (18) years. The measures to be taken for recruitment shall be brought into line with the provisions of article 3, paragraph 3, of the aforementioned Optional Protocol.

This declaration shall replace the declaration deposited together with the instrument of ratification on 27 September 2002.

Peru, 8 mei 2002

In depositing the instrument of ratification of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, the Government of Peru declares that, in compliance with its article 3, paragraph 2, the minimum age for voluntary recruitment into the national armed forces, under national legislation, is 18 years.

Polen, 7 april 2005

The Government of the Republic of Poland, with the regard to article 3, paragraph 2 of the Protocol, declares that:

1. under the Polish law the minimum age in the case of obligatory recruitment of the Polish citizens into the national Armed Forces is eighteen (18) years. 2. under the Polish law the minimum age for the voluntary recruitment of the Polish citizens into the national Armed Forces is seventeen (17) years. Joining the Polish Armed Forces is really voluntary and a candidate is obliged to show a special document certifying the date of his/her birth. Moreover the consent of the person's parents or legal guardians is required before the admission to the service.

Portugal, 6 september 2000

Concerning article 2 of the Protocol, the Portuguese Republic considering that it would have preferred the Protocol to exclude all types of recruitment of persons under the age of 18 years – whether this recruitment is voluntary or not, declares that it will apply its domestic legislation which prohibits the voluntary recruitment of persons under the age of 18 years and will deposit a binding declaration, in conformity with paragraph 2 of article 3 of the Protocol, setting forth 18 years as the minimum age for voluntary recruitment in Portugal.

Portugal, 19 augustus 2003

The Government of Portugal declares, in accordance with 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 that the minimum age for any recruitment – including voluntary – of persons into its national armed forces is 18 years. This age limit is already contained in the Portuguese domestic legislation.

Qatar, 25 juli 2002

Pursuant to paragraph 2 of article 3 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict,

The State of Qatar declares that recruitment to its armed forces and other regular forces is voluntary and is for those who have attained the age of 18 years and that it takes account of the safeguards set forth in paragraph 3 of the same article.

In making this declaration, the State of Qatar affirms that its national legislation makes no provision for any form of compulsory or coercive recruitment.

Roemenië, 10 november 2001

According to the law, military service is compulsory for Romanian citizens, males, who reached the age of 20, except in case of war or upon request, during peacetime, when they may be recruited after the age of 18.

Russische Federatie, 24 september 2008

The Russian Federation, pursuant to article 3, paragraph 2, of the Optional Protocol, declares that, in accordance with the legislation of the Russian Federation, citizens under the age of 18 may not be recruited for military service in the armed forces of the Russian Federation and a military service contract may not be concluded with them;

In accordance with the legislation of the Russian Federation, citizens who have reached the age of 16 are entitled to admission to professional military educational institutions. Upon enrolment in these institutions they shall acquire the status of members of the military performing compulsory military service. The legislation of the Russian Federation guarantees that such citizens shall conclude military service contracts on reaching the age of 18, but not before they have completed the first year of education in these educational institutions.

Rwanda, 23 april 2002

Minimum age for voluntary recruitment: 18 years.

Minimum age for entry into schools operated by or under the control of armed forces: Not applicable.

Status of pupils in these schools (are they part of the armed forces: Not applicable.

What reliable proof of age is required: birth certificate.

What do the armed forces comprise: Adult men and women.

Senegal, 3 maart 2004

We hereby declare that the minimum age required for regular conscription and for entry into the schools for officers and sub-officers is twenty (20) years.

Candidates shall enlist in an individual capacity and shall sign enlistment and re-enlistment contracts freely and in person.

Servië, 31 januari 2003

Pursuant to article 3(2) of the Protocol, I have the honour to inform that the provisions of articles 291 and 301 of the Law on the Yugoslav Army specified that a person of military age who has turned eighteen may be recruited into the Army of the Federal Republic of Yugoslavia in that calendar year. The person of military age may only exceptionally be recruited in the calendar year in which he turns seventeen, at his own request, or during a state of war by order of the President of the Federal Republic of Yugoslavia.

In the light of the fact that, under the Law, only persons who have done their military service or have undergone the required military training may be called up, the minimum age for voluntary recruitment in the Federal Republic of Yugoslavia has been set at eighteen. Safeguards that recruitment of underage persons will not be forced or coerced are provided in the Penal Code of the Federal Republic of Yugoslavia and

those of its constituent republics, relating to the criminal act against civil rights and liberties and dereliction of duty.

Sierra Leone, 15 mei 2002

With regard to article 3, paragraph 2, of the Optional Protocol to the Convention on the Rights of the Child on the participation of Children in Armed Conflict, the Government of the Republic of Sierra Leone declares that:

1. The minimum age for voluntary recruitment into the Armed Forces is 18 years;
2. There is no compulsory, forced or coerced recruitment into the National Armed Forces;
3. Recruitment is exclusively on a voluntary basis.

Singapore, 11 december 2008

Pursuant to Article 3, Paragraph 2 of the Optional Protocol, the Republic of Singapore declares that:

1. The minimum age at which persons may be voluntarily recruited or enlisted into the Singapore Armed Forces is 16 years and 6 months; and
2. The Republic of Singapore maintains the following safeguards in respect of voluntary recruitment or enlistment of persons below the age of 18 years into the Singapore Armed Forces:
 - a) The person is required to produce documentary proof of age, including an authentic birth certificate and identity card;
 - b) Written consent of a parent or legal guardian of the person is required; and
 - c) The person is fully informed of the duties involved in military service by the Singapore Armed Forces through, among other things, informational brochures and career counselors to explain the demands of military life.

Slovenië, 23 september 2004

In compliance with Article 3, Paragraph 2, of the Optional Protocol, the Republic of Slovenia declares that the minimum age at which it will permit voluntary recruitment into its national armed forces is 18 years. The minimum age shall apply equally to men and women. By phasing out the recruitment system and introducing professional military service, the contractual reserve forces and service in the national armed forces shall be voluntary and regulated by a contract between the two parties.

Slowakije, 7 juli 2006

... the Slovak Republic declares that according to its legislation, the minimum age at which voluntary recruitment into its national armed forces is permitted, is regulated by Act No. 570/2005 on the Conscription Obligation and on Amendment of certain Acts section 6, which stipulates that a person can voluntary

accept the conscription obligation as of 1st January of the calendar year in which he/she reaches the age of 19 years; and
Act No. 346/2005 on the State Service of the Professional Soldiers of the Armed Forces of the Slovak Republic and on Amendment of certain Acts section 13, which stipulates reaching the age of 18 years as the requirement for admission to the state service of the professional soldier. The fact, that the recruitment can be performed exclusively on the basis of a law in accordance with the Constitution of the Slovak Republic, is the sufficient safeguard to ensure that such recruitment is not forced or coerced.

Soedan, 26 juli 2005

... pursuant to article 3 (2) of the Optional Protocol, the Government of the Republic of the Sudan declares that the Republic of the Sudan is committed to maintain the minimum age for voluntary service in the Sudan armed forces at 18, and to maintain the prohibition of forced or voluntary conscription of any person under the age of 18 years.

Spanje, 8 maart 2002

For the purposes of the provisions of article 3 of the Protocol, Spain declares that the minimum age for voluntary recruitment into its armed forces is 18 years.

Sri Lanka, 8 september 2000

The Democratic Socialist Republic of Sri Lanka [...] declares in accordance with article 3 (2) of [the Protocol] that under the laws of Sri Lanka:

- a) there is no compulsory, forced or coerced recruitment into the national armed forces;
- b) recruitment is solely on a voluntary basis;
- c) the minimum age for voluntary recruitment into national armed forces is 18 years.

Syrië, 17 oktober 2003

Ratification of the two Optional Protocols by the Syrian Arab Republic shall not in any event imply recognition of Israel and shall not lead to entry into any dealings with Israel in the matters governed by the provisions of the Protocols.

The Syrian Arab Republic declares that the statutes in force and the legislation applicable to the Ministry of Defence of the Syrian Arab Republic do not permit any person under 18 years of age to join the active armed forces or the reserve bodies or formations and do not permit the enlistment of any person under that age.

Verklaring van Israël, 18 juli 2005

The Government of the State of Israel has noted that the instrument of ratification of the Syrian Arab Republic of the above-

mentioned Protocol [...], contains a declaration with respect to the State of Israel.

The Government of the State of Israel considers that such declaration, which is explicitly of a political nature, is incompatible with the purposes and objectives of the Protocol.

The Government of the State of Israel therefore objects to the aforesaid declaration made by the Syrian Arab Republic.

Tadjikistan, 5 augustus 2002

On behalf of the Republic of Tajikistan, the Ministry of Foreign Affairs has the honor to declare that, in accordance with [paragraph] 2 of article 3 of the Optional Protocol to the Convention on the Rights of a Child with respect to participation of children in military conflicts, the voluntary recruitment of those under age of 18 to the armed forces of the Republic of Tajikistan shall be prohibited.

Tanzania, 11 november 2004

The minimum age for the voluntary recruitment into armed conflict is eighteen years.

Thailand, 27 februari 2006

1. Military service is compulsory by law. Thai men reaching the age of 18 have a duty to register on the inactive military personnel list. At the age of 21, selected inactive military personnel will become active military personnel. Inactive military personnel may also voluntarily apply to become active military personnel to serve in the national armed forces. Women are exempt from compulsory military service both in times of peace and in times of war, but are subjected to other duties assigned by law.

2. In times of war or national crisis, inactive military personnel (men aged over 18) may be recruited to participate in the armed forces.

3. Admittances to military schools such as Army Non-commissioned Officer School, Air technical Training School, Navy Non-Commissioned Officer School, Armed Forces Academies Preparatory School and Army, Naval, and Air Forces Academies is on a voluntary basis, depending on the success in the entrance examinations and subject to the consent of parents or legal guardians.

4. High school and university students regardless of gender may voluntarily apply to receive military training from the Army Reserve Command, with the consent of parents or legal guardians, without any exception. Students who complete 3 years' training are exempt from military service (as active military personnel) when they reach the age of 21.

5. Non-governmental militias are prohibited by law, regardless of the age of persons concerned.

Togo, 28 november 2005

In accordance with article 3 (2) of the Optional Protocol, the Government of the Republic of Togo:

- (i) Declares that the minimum age at which voluntary recruitment into its national armed forces is permitted is eighteen (18) years;
- (ii) The following is a description of the safeguards that the Government has adopted to ensure that such recruitment is not forced or coerced: Any person under 18 years of age cannot be recruited, neither accepted for recruitment, even voluntarily, nor registered as a member of the Togolese Armed Forces (FAT).

National military service does not exist in Togo.

The recruitment is national, voluntary, conducted in public upon presentation of a birth certificate, a school or training certificate and of diplomas obtained.

All recruits undergo a rigorous medical examination.

Tsjaad, 28 augustus 2002

The Chadian Government declares that, pursuant to article 3, paragraph 2 of the Optional Protocol, the minimum age for recruitment into the armed forces is 18 years.

Enlistment is entirely and absolutely voluntary and may take place only on a fully informed basis.

Tsjechië, 30 november 2001

Adopting this Protocol we declare in accordance with article 3 paragraph 2 of the Protocol that the minimum age at which voluntary recruitment into its national armed forces is permitted is 18 years. This age limit is prescribed by law.

Tunesië, 2 januari 2003

In accordance with 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, the Republic of Tunisia declares the following:

Under Tunisian law, the minimum age for voluntary recruitment of Tunisian citizens into the armed forces is 18 years.

In accordance with article 1 of Act No. 51-1989 of 14 March 1989 on military service, "all citizens aged 20 shall perform national service in person, except in the case of a medically certified impediment.

However, citizens may, at their request, and with the consent of their legal guardian, perform military service at the age of 18 years, subject to the approval of the Secretary General of the Ministry of Defence."

In accordance with article 27 of Act No. 51-1989 of 14 March 1989 on military service, "any citizen between the ages of 18 and 23 may be admitted into military schools subject to such conditions as may be determined by the Secretary General of the Ministry of Defence.

Young people who have not attained the age of majority must first get the consent of their legal guardian; in such case, the first year of service

shall count towards the fulfilment of military service obligations and be considered as enlistment before call-up.”

Articles 1 and 27 of the Act of 14 March 1989 provide legal safeguards for citizens under the age of 18 years, since acceptance into national military service or recruitment into the armed forces is on a strictly voluntary basis.

Turkije, 4 mei 2004

1. The Republic of Turkey declares, in accordance with Article 3 (2) of the Optional Protocol, that military service is compulsory in Turkey, however Turkish citizens are not subjected to compulsory military service before reaching the legal age of maturity. In accordance with the Turkish Military Code, military service begins on 1st January of the twentieth age; in cases of mobilisation and state of emergency, individuals who are liable to military service may be recruited at the age of 19. There is no voluntary recruitment in Turkey.

However, Article 11 of the Military Code envisages a voluntary recruitment for navy and gendarmerie classes and non-commissioned officers at a minimum age of 18. Nevertheless, this article, which is in compliance with the age regulation of the Optional Protocol, is not applied in practice.

Students of military schools, who are exempted from the Optional Protocol according to Article 3 (5) of this protocol, are not subjected to compulsory military service. Under the Turkish legal system, such students are not considered as “soldiers” and are not held liable for “military service”.

2. Admittance to the military high schools and preparatory non-commissioned officer schools is on a voluntary basis, depending on success in the entrance examinations and with the consent of parents or legal guardians. Students who have completed their primary school education and enrolled into such schools at a minimum age of 15 can quit them at any time if they so wish.

The Republic of Turkey declares that it will implement the provisions of the existing Optional Protocol only to the States Parties which it recognizes and with which it has diplomatic relations.

The Republic of Turkey declares with regard to Article 3 (5) of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict that the reservation it made to Article 29 of the Convention on the Rights of the Child, which is referred to in the said paragraph of the Optional Protocol, fully retains its validity.

Verklaring van Cyprus, 29 juli 2004, en bij ondertekening, 1 juli 2008

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.

Turkmenistan, 29 april 2005

A citizen of male sex at the age of 18 to 30 years, which has no right to discharge or deferment from conscription, is subject to a call to military service.

Decision on conscription of a citizen to a military service can be adopted after he has reached 18 years of age.

Decision to call a citizen to a military service can be adopted after achievement by him of 17 years of age after his personal application for voluntary military service.

Uganda, 6 mei 2002

The Government of the Republic of Uganda declares that the minimum age for the recruitment of persons into the armed forces is by law set at eighteen (18) years. Recruitment is entirely and squarely voluntary and is carried out with the full informed consent of the persons being recruited. There is no conscription in Uganda.

The Government of the Republic of Uganda reserves the right at any time by means of a notification addressed to the Secretary-General of the United Nations, to add, amend or strengthen the present declaration. Such notifications shall take effect from the date of their receipt by the Secretary-General of the United Nations.

Uruguay, 9 september 2003

In fulfilment of the obligation laid down in 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, the Government of the Eastern Republic of Uruguay, in line with the reservation made at the time

of depositing the instrument of ratification of the Convention on the Rights of the Child, declares:

That in exercise of its sovereignty and in accordance with domestic law, it does not under any circumstances permit voluntary recruitment into the armed forces of persons under 18 years of age.

Vanuatu, 26 september 2007

... the Government of the Republic of Vanuatu pursuant to Article 3 (2) of the Protocol hereby declares that the minimum age at which it will permit voluntary recruitment into its national Armed Forces is 18 years of age as provided under Section 3 (2) of the Police Rules. Further declaration is made that Vanuatu has adopted the following safeguards to ensure that recruitment of personnel is not forced or coerced:

A Candidate for appointment to the Force shall:

- a) have reached the age of 18 years and shall not be over the age of 30 years
- b) be certified by a Government medical officer to be in good health, of sound constitution and fitted both physically and mentally to perform the duties on which he will be employed after appointment;
- c) have a minimum height of 1.70 meters (5 feet 8 inches);
- d) have a minimum education certificate of a Senior Primary Certificate on a Certificate d'Études Primaire or pass a Police Entrance Examination;
- e) be of good moral character.

Venezuela, 23 september 2003

The minimum age for conscription and voluntary enlistment into the national armed forces of the Bolivarian Republic of Venezuela is between 18 and 50 years, in accordance with the provisions of the Constitution and laws of the Republic.

The safeguards adopted by the Government of the Bolivarian Republic of Venezuela to ensure that such recruitment is not forced or coerced are as follows:

1. Article 134 of the Constitution of the Bolivarian Republic of Venezuela provides:

“Everyone, in accordance with the law, has the duty to provide the necessary civilian or military services for the defence, preservation and development of the country, or to deal with situations of public emergency. No one may be subjected to forced recruitment.”

2. When a person has been subjected to forced recruitment, article 27, first paragraph of the Constitution of the Bolivarian Republic of Venezuela provides that: “everyone has the right to be protected by the courts in the enjoyment and exercise of all constitutional rights and guarantees, including those inherent personal rights which are not expressly laid down in this Constitution or in the international human rights instruments”.

3. The Constitution also provides, in article 31, first paragraph, that “everyone has the right, under the provisions laid down in the human rights treaties, covenants and conventions ratified by the Republic, to send petitions or complaints to the international organs created for these purposes, in order to seek protection of human rights”.

4. Furthermore, article 4 of the Military Conscription and Enlistment Act provides that military age is the period during which Venezuelans have military obligations and are between 18 and 50 years of age. No Venezuelan under the age of 18 has military obligations or the duty to register for military service.

Verenigd Koninkrijk, het, 7 september 2000 en 24 juni 2003

... 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 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.

The United Kingdom maintains the following safeguards in respect of voluntary recruitment into the armed forces:

1. The United Kingdom Armed Forces are manned solely by volunteers; there is no compulsory recruitment.

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. 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:

- the involvement of the parent(s) or legal guardian(s) of the potential recruits;
- 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
- 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.

I have the further honour to refer to the attached declaration made by the United Kingdom on signature of the Optional Protocol regarding its understanding of Article 1, and to declare that the United Kingdom hereby affirms that understanding.

Declaration by the UK on signature of the Optional Protocol to the Convention on the Rights of the Child on children in armed conflict, signed in September 2000:

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.

Verenigde Staten van Amerika, de, 23 december 2002

The Government of the United States of America declares, pursuant to Article 3 (2) of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict that –

A) the minimum age at which the United States permits voluntary recruitment into the Armed Forces of the United States is 17 years of age;

B) The United States has established safeguards to ensure that such recruitment is not forced or coerced, including a requirement in section 505 (a) of title 10, United States Code, that no person under 18 years of age may be originally enlisted in the Armed Forces of the United States without the written consent of the person's parent or guardian, if the parent or guardian is entitled to the person's custody and control;

C) each person recruited into the Armed Forces of the United States receives a comprehensive briefing and must sign an enlistment contract that, taken together, specify the duties involved in military service; and

D) all persons recruited into the Armed Forces of the United States must provide reliable proof of age before their entry into military service.

1. NO ASSUMPTION OF OBLIGATIONS UNDER THE CONVENTION ON THE RIGHTS OF THE CHILD.

The United States understands that the United States assumes no obligations under the Convention on the Rights of the Child by becoming a party to the Protocol.

2. IMPLEMENTATION OF OBLIGATION NOT TO PERMIT CHILDREN TO TAKE DIRECT PART IN HOSTILITIES.

The United States understands that, with respect to Article 1 of the Protocol –

A) the term “feasible measures” means those measures that are practical or practically possible, taking into account all the circumstances ruling at the time, including humanitarian and military considerations;

B) the phrase “direct part in hostilities”-

(i) means immediate and actual action on the battlefield likely to cause harm to the enemy because there is a direct causal relationship between the activity engaged in and the harm done to the enemy; and

(ii) does not mean indirect participation in hostilities, such as gathering and transmitting military information, transporting weapons, munitions, or other supplies, or forward deployment; and

C) any decision by any military commander, military personnel, or other person responsible for planning, authorizing, or executing military action, including the assignment of military personnel, shall only be judged on the basis of all the relevant circumstances and on the basis of that person’s assessment of the information reasonably available to the person at the time the person planned, authorized, or executed the action under review, and shall not be judged on the basis of information that comes to light after the action under review was taken.

3. MINIMUM AGE FOR VOLUNTARY RECRUITMENT.

The United States understands that Article 3 of the Protocol obligates States Parties to the Protocol to raise the minimum age for voluntary recruitment into their national armed forces from the current international standard of 15 years of age.

4. ARMED GROUPS.

The United States understands that the term “armed groups” in Article 4 of the Protocol means nongovernmental armed groups such as rebel groups, dissident armed forces, and other insurgent groups.

5. NO BASIS FOR JURISDICTION BY ANY INTERNATIONAL TRIBUNAL.

The United States understands that nothing in the Protocol establishes a basis for jurisdiction by any international tribunal, including the International Criminal Court.

Vietnam, 20 december 2001

To defend the Homeland is the sacred duty and right of all citizens. Citizens have the obligation to fulfil military service and participate in building the all-people national defense.

Under the law of the Socialist Republic of Vietnam, only male citizens at the age of 18 and over shall be recruited in the military service. Those who are under the age of 18 shall not be directly involved in military battles unless there is an urgent need for safeguarding national independence, sovereignty, unity and territorial integrity.

Male citizens up to the age of 17 who wish to make a long-term service in the army may be admitted to military schools. Voluntary recruitment to military schools shall be ensured by measures which, inter alia, include:

- The Law on Military Duty and other regulations on the recruitment to military schools are widely disseminated through mass media;
- Those who wish to study at a military school shall, on the voluntary basis, file their application, participate in and pass competitive examinations; they shall submit their birth certificates provided by the local authority, their education records, secondary education diploma; they shall also undergo health check in order to ensure that they are physically qualified to study and serve the military.

Zuid-Korea, 24 september 2004

In accordance with paragraph 2, Article 3 of the aforementioned Protocol, the Government of the Republic of Korea declares that the minimum age for voluntary recruitment into the Korean national armed forces is 18 years.

Zweden, 20 februari 2003

... in accordance with Article 3 paragraph 2 of the Optional Protocol, [...] the minimum age required for voluntary recruitment into the Swedish National Armed Forces is eighteen (18) years.

Zwitserland, 26 juni 2002

The Swiss Government declares, in accordance with article 3, paragraph 2, of the Optional Protocol, that the minimum age for the recruitment of volunteers into its national armed forces is 18 years. That age is specified by the Swiss legal system.

G. INWERKINGTREDING

De bepalingen van het Protocol zijn ingevolge artikel 10, eerste lid, op 12 februari 2002 in werking getreden.

Het Protocol is ingevolge artikel 10, tweede lid, voor het Koninkrijk der Nederlanden op 24 oktober 2009 in werking getreden.

Wat betreft het Koninkrijk der Nederlanden, zal het Protocol voor het gehele Koninkrijk gelden.

J. VERWIJZINGEN

Zie *Trb.* 2001, 36.

- Titel : Handvest van de Verenigde Naties;
San Francisco, 26 juni 1945
- Laatste *Trb.* : *Trb.* 2009, 143

- Titel : Verdrag inzake de rechten van het kind;
New York, 20 november 1989
- Laatste *Trb.* : *Trb.* 2002, 233
- Titel : Statuut van Rome inzake het Internationaal Strafhof;
Rome, 17 juli 1998
- Laatste *Trb.* : *Trb.* 2004, 258
- Titel : Verdrag betreffende het verbod op en de onmiddellijke
actie voor de uitbanning van de ergste vormen van kin-
derarbeid (ILO no. 182);
Genève, 17 juni 1999
- Laatste *Trb.* : *Trb.* 2002, 96

Uitgegeven de zesde november 2009.

De Minister van Buitenlandse Zaken,

M. J. M. VERHAGEN