

## SWITZERLAND

### CRC

#### **RESERVATIONS AND DECLARATIONS**

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

Declaration:

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

...

(c) Reservation concerning article 10, paragraph 1:

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

(d) Reservation concerning article 37(c):

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

(e) Reservation concerning article 40:

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

...

#### **Note**

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

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

Subsequently, on 8 April 2004, the Government of Switzerland informed the Secretary-General that it had decided to withdraw its reservation in respect of article 5 made upon ratification, which reads as follows:

The Swiss legislation concerning parental authority is unaffected.

Further, on 1 May 2007, the Government of Switzerland informed the Secretary-General that it had decided to withdraw its reservations in respect of article 7 (2) and article 40 (2) made upon ratification, which reads as follows:

Article 7 (2):

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

Article 40 (2):

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

*(Note 51, Chapter IV.11, Multilateral Treaties Deposited with the Secretary-General)*