

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2014 Nr. 118

A. TITEL

Verdrag inzake de uitbanning van alle vormen van discriminatie van vrouwen;
New York, 18 december 1979

B. TEKST

De Engelse en de Franse tekst van het Verdrag zijn geplaatst in *Trb.* 1980, 146.

In dat Tractatenblad dienen in de Engelse tekst de volgende correcties te worden aangebracht.

Op blz. 16, in artikel 12, tweede lid, tweede regel, dient het woord „appropriate” te worden vervangen door „appropriate”.

Op blz. 18, in artikel 14, tweede lid, onderdeel e, tweede regel, dient het woord „employment” te worden vervangen door „employment”.

Voor de Engelse en de Franse tekst van de wijziging van het Verdrag van 22 december 1995, zie rubriek J van *Trb.* 1996, 97.

C. VERTALING

Zie *Trb.* 1981, 61 en voor correcties *Trb.* 1991, 134.

In Tractatenblad 1981, 61 dienen in de vertaling nog de volgende correcties te worden aangebracht.

Op blz. 13, in artikel 12, tweede lid, derde regel, dient „zonodig” te worden vervangen door „zo nodig”.

Op blz. 17, in artikel 17, zesde lid, derde/vierde regel, dient het woord „ambstermijn” te worden vervangen door „ambtstermijn”.

Voor de vertaling van de wijziging van het Verdrag van 22 december 1995, zie rubriek J van *Trb.* 1996, 97.

In dat Tractatenblad dienen in de vertaling de volgende correcties te worden aangebracht.

Op blz. 9, in onderdeel 1, in de aangehaalde tekst, eerste en derde regel, dient „De Commissie” c.q. „de Commissie” te worden vervangen door „Het Comité” c.q. „het Comité”.

D. PARLEMENT

Zie *Trb.* 1991, 134.

Bij brieven van 29 augustus 1997 (Kamerstukken II 1996/1997, 25529 (R1597)) is de wijziging van het Verdrag, in overeenstemming met artikel 2, eerste en tweede lid, en artikel 5, eerste en tweede lid, van de Rijkswet goedkeuring en bekendmaking verdragen overgelegd aan de Eerste en de Tweede Kamer der Staten-Generaal, de Staten van de Nederlandse Antillen en de Staten van Aruba.

De toelichtende nota die de brieven vergezelde, is ondertekend door de Minister van Buitenlandse Zaken H.A.F.M.O. VAN MIERLO.

De goedkeuring door de Staten-Generaal is verleend op 13 oktober 1997.

E. PARTIJGEGEVENS

Zie *Trb.* 1980, 146.

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Afghanistan	14-08-80	05-03-03	R	04-04-03		
Albanië		11-05-94	T	10-06-94		
Algerije		22-05-96	T	21-06-96		
Andorra		15-01-97	T	14-02-97		
Angola		17-09-86	T	17-10-86		
Antigua en Barbuda		01-08-89	T	31-08-89		
Argentinië	17-07-80	15-07-85	R	14-08-85		
Armenië		13-09-93	T	13-10-93		
Australië	17-07-80	28-07-83	R	27-08-83		
Azerbeidzjan		10-07-95	T	09-08-95		
Bahama's		06-10-93	T	05-11-93		
Bahrein		18-06-02	T	18-07-02		

Partij	Onder- tekening	Ratificatie	Type [*]	In werking	Opzeg- ging	Buiten werking
Bangladesh		06-11-84	T	06-12-84		
Barbados	24-07-80	16-10-80	R	03-09-81		
Belarus	17-07-80	04-02-81	R	03-09-81		
België	17-07-80	10-07-85	R	09-08-85		
Belize	07-03-90	16-05-90	R	15-06-90		
Benin	11-11-81	12-03-92	R	11-04-92		
Bhutan	17-07-80	31-08-81	R	30-09-81		
Bolivia	30-05-80	08-06-90	R	08-07-90		
Bosnië en Herzegovina		01-09-93	VG	06-03-92		
Botswana		13-08-96	T	12-09-96		
Brazilië	31-03-81	01-02-84	R	02-03-84		
Brunei		24-05-06	T	23-06-06		
Bulgarije	17-07-80	08-02-82	R	10-03-82		
Burkina Faso		14-10-87	T	13-11-87		
Burundi	17-07-80	08-01-92	R	07-02-92		
Cambodja		15-10-92	T	14-11-92		
Canada	17-07-80	10-12-81	R	09-01-82		
Centraal- Afrikaanse Republiek		21-06-91	T	21-07-91		
Chili	17-07-80	07-12-89	R	06-01-90		
China	17-07-80	04-11-80	R	03-09-81		
Colombia	17-07-80	19-01-82	R	18-02-82		
Comoren		31-10-94	T	30-11-94		
Congo, Democratische Republiek	17-07-80	17-10-86	R	16-11-86		
Congo, Republiek	29-07-80	26-07-82	R	25-08-82		
Cookeilanden		11-08-06	T	10-09-06		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Costa Rica	17-07-80	04-04-86	R	04-05-86		
Cuba	06-03-80	17-07-80	R	03-09-81		
Cyprus		23-07-85	T	22-08-85		
Denemarken	17-07-80	21-04-83	R	21-05-83		
Djibouti		02-12-98	T	01-01-99		
Dominica	15-09-80	15-09-80	R	03-09-81		
Dominicaanse Republiek	17-07-80	02-09-82	R	02-10-82		
Duitsland	17-07-80	10-07-85	R	09-08-85		
Ecuador	17-07-80	09-11-81	R	09-12-81		
Egypte	16-07-80	18-09-81	R	18-10-81		
El Salvador	14-11-80	19-08-81	R	18-09-81		
Equatoriaal- Guinea		23-10-84	T	22-11-84		
Eritrea		05-09-95	T	05-10-95		
Estland		21-10-91	T	20-11-91		
Ethiopië	08-07-80	10-09-81	R	10-10-81		
Fiji		28-08-95	T	27-09-95		
Filipijnen	15-07-80	05-08-81	R	04-09-81		
Finland	17-07-80	04-09-86	R	04-10-86		
Frankrijk	17-07-80	14-12-83	R	13-01-84		
Gabon	17-07-80	21-01-83	R	20-02-83		
Gambia	29-07-80	16-04-93	R	16-05-93		
Georgië		26-10-94	T	25-11-94		
Ghana	17-07-80	02-01-86	R	01-02-86		
Grenada	17-07-80	30-08-90	R	29-09-90		
Griekenland	02-03-82	07-06-83	R	07-07-83		
Guatemala	08-06-81	12-08-82	R	11-09-82		
Guinee	17-07-80	09-08-82	R	08-09-82		

Partij	Onder- tekening	Ratificatie	Type [*]	In werking	Opzeg- ging	Buiten werking
Guinee-Bissau	17-07-80	23-08-85	R	22-09-85		
Guyana	17-07-80	17-07-80	R	03-09-81		
Haïti	17-07-80	20-07-81	R	03-09-81		
Honduras	11-06-80	03-03-83	R	02-04-83		
Hongarije	06-06-80	22-12-80	R	03-09-81		
Ierland		23-12-85	T	22-01-86		
IJsland	24-07-80	18-06-85	R	18-07-85		
India	30-07-80	09-07-93	R	08-08-93		
Indonesië	29-07-80	13-09-84	R	13-10-84		
Irak		13-08-86	T	12-09-86		
Israël	17-07-80	03-10-91	R	02-11-91		
Italië	17-07-80	10-06-85	R	10-07-85		
Ivoorkust	17-07-80	18-12-95	R	17-01-96		
Jamaica	17-07-80	19-10-84	R	18-11-84		
Japan	17-07-80	25-06-85	R	25-07-85		
Jemen		30-05-84	T	29-06-84		
Joegoslavië (< 25-06-1991)	17-07-80	26-02-82	R	28-03-82		
Jordanië	03-12-80	01-07-92	R	31-07-92		
Kaapverdië		05-12-80	T	03-09-81		
Kameroen	06-06-83	23-08-94	R	22-09-94		
Kazachstan		26-08-98	T	25-09-98		
Kenia		09-03-84	T	08-04-84		
Kirgistan		10-02-97	T	12-03-97		
Kiribati		17-03-04	T	16-04-04		
Koeweit		02-09-94	T	02-10-94		
Kroatië		09-09-92	VG	08-10-91		
Laos	17-07-80	14-08-81	R	13-09-81		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Lesotho	17-07-80	22-08-95	R	21-09-95		
Letland		14-04-92	T	14-05-92		
Libanon		16-04-97	T	16-05-97		
Liberia		17-07-84	T	16-08-84		
Libië		16-05-89	T	15-06-89		
Liechtenstein		22-12-95	T	21-01-96		
Litouwen		18-01-94	T	17-02-94		
Luxemburg	17-07-80	02-02-89	R	04-03-89		
Macedonië, de voormalige Joegoslavische Republiek		18-01-94	VG	17-11-91		
Madagaskar	17-07-80	17-03-89	R	16-04-89		
Malawi		12-03-87	T	11-04-87		
Malediven		01-07-93	T	31-07-93		
Maleisië		05-07-95	T	04-08-95		
Mali	05-02-85	10-09-85	R	10-10-85		
Malta		08-03-91	T	07-04-91		
Marokko		21-06-93	T	21-07-93		
Marshalleilanden		02-03-06	T	01-04-06		
Mauritanië		10-05-01	T	09-06-01		
Mauritius		09-07-84	T	08-08-84		
Mexico	17-07-80	23-03-81	R	03-09-81		
Micronesia		01-09-04	T	01-10-04		
Moldavië		01-07-94	T	31-07-94		
Monaco		18-03-05	T	17-04-05		
Mongolië	17-07-80	20-07-81	R	03-09-81		
Montenegro		23-10-06	VG	03-06-06		
Mozambique		21-04-97	T	21-05-97		

Partij	Onder- tekening	Ratificatie	Type ^a	In werking	Opzeg- ging	Buiten werking
Myanmar		22-07-97	T	21-08-97		
Namibië		23-11-92	T	23-12-92		
Nauru		23-06-11	T	23-07-11		
Nederlanden, het Koninkrijk der – Nederland: – in Europa – Bonaire – Sint Eustatius – Saba – Aruba – Curaçao – Sint Maarten	17-07-80	23-07-91 – – 23-07-91 – –	R R	22-08-91 10-10-10 10-10-10 10-10-10 22-08-91 10-10-10 10-10-10		
Nepal	05-02-91	22-04-91	R	22-05-91		
Nicaragua	17-07-80	27-10-81	R	26-11-81		
Nieuw-Zeeland	17-07-80	10-01-85	R	09-02-85		
Niger		08-10-99	T	07-11-99		
Nigeria	23-04-84	13-06-85	R	13-07-85		
Noord-Korea		27-02-01	T	29-03-01		
Noorwegen	17-07-80	21-05-81	R	03-09-81		
Oekraïne	17-07-80	12-03-81	R	03-09-81		
Oezbekistan		19-07-95	T	18-08-95		
Oman		07-02-06	T	09-03-06		
Oost-Timor		16-04-03	T	16-05-03		
Oostenrijk	17-07-80	31-03-82	R	30-04-82		
Pakistan		12-03-96	T	11-04-96		
Palau	20-09-11					
Palestina		02-04-14	T	02-05-14		
Panama	26-06-80	29-10-81	R	28-11-81		
Papua-Nieuw- Guinea		12-01-95	T	11-02-95		
Paraguay		06-04-87	T	06-05-87		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Peru	23-07-81	13-09-82	R	13-10-82		
Polen	29-05-80	30-07-80	R	03-09-81		
Portugal	24-04-80	30-07-80	R	03-09-81		
Qatar		29-04-09	T	29-05-09		
Roemenië	04-09-80	07-01-82	R	06-02-82		
Russische Federatie	17-07-80	23-01-81	R	03-09-81		
Rwanda	01-05-80	02-03-81	R	03-09-81		
Saint Kitts en Nevis		25-04-85	T	25-05-85		
Saint Lucia		08-10-82	T	07-11-82		
Saint Vincent en de Grenadines		04-08-81	T	03-09-81		
Salomonseilan- den		06-05-02	T	05-06-02		
Samoa		25-09-92	T	25-10-92		
San Marino	26-09-03	10-12-03	R	09-01-04		
Sao Tomé en Principe	31-10-95	03-06-03	R	03-07-03		
Saudi-Arabië	07-09-00	07-09-00	R	07-10-00		
Senegal	29-07-80	05-02-85	R	07-03-85		
Servië		12-03-01	VG	27-04-92		
Seychellen		05-05-92	T	04-06-92		
Sierra Leone	21-09-88	11-11-88	R	11-12-88		
Singapore		05-10-95	T	04-11-95		
Slovenië		06-07-92	VG	25-06-91		
Slowakije		28-05-93	VG	01-01-93		
Spanje	17-07-80	05-01-84	R	04-02-84		
Sri Lanka	17-07-80	05-10-81	R	04-11-81		
Suriname		01-03-93	T	31-03-93		

Partij	Onder- tekening	Ratificatie	Type ^a	In werking	Opzeg- ging	Buiten werking
Swaziland		26-03-04	T	25-04-04		
Syrië		28-03-03	T	27-04-03		
Tadzjikistan		26-10-93	T	25-11-93		
Tanzania	17-07-80	20-08-85	R	19-09-85		
Thailand		09-08-85	T	08-09-85		
Togo		26-09-83	T	26-10-83		
Trinidad en Tobago	27-06-85	12-01-90	R	11-02-90		
Tsjaad		09-06-95	T	09-07-95		
Tsjechië		22-02-93	VG	01-01-93		
Tsjechoslowakije (<01-01-1993)	17-07-80	16-02-82	R	18-03-82		
Tunesië	24-07-80	20-09-85	R	20-10-85		
Turkije		20-12-85	T	19-01-86		
Turkmenistan		01-05-97	T	31-05-97		
Tuvalu		06-10-99	T	05-11-99		
Uganda	30-07-80	22-07-85	R	21-08-85		
Uruguay	30-03-81	09-10-81	R	08-11-81		
Vanuatu		08-09-95	T	08-10-95		
Venezuela	17-07-80	02-05-83	R	01-06-83		
Verenigd Koninkrijk	22-07-81	07-04-86	R	07-05-86		
Verenigde Arabische Emiraten		06-10-04	T	05-11-04		
Verenigde Staten van Amerika	17-07-80					
Vietnam	29-07-80	17-02-82	R	19-03-82		
Zambia	17-07-80	21-06-85	R	21-07-85		
Zimbabwe		13-05-91	T	12-06-91		
Zuid-Afrika	29-01-93	15-12-95	R	14-01-96		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Zuid-Korea	25-05-83	27-12-84	R	26-01-85		
Zweden	07-03-80	02-07-80	R	03-09-81		
Zwitserland	23-01-87	27-03-97	R	26-04-97		
* O=Ondertekening zonder voorbehoud of vereiste van ratificatie, R= Bekrachtiging, aanvaarding, goedkeuring of kennisgeving, T=Toetreding, VG=Voortgezette gebondenheid, NB=Niet bekend						

Uitbreidingen

China

Uitgebreid tot	In werking	Buiten werking
Hongkong SAR	01-07-1997	
Macau SAR	20-12-1999	

Nieuw-Zeeland

Uitgebreid tot	In werking	Buiten werking
Tokelau	09-02-1982	

Portugal

Uitgebreid tot	In werking	Buiten werking
Macau (<20-12-1999)	27-04-1999	20-12-1999

Verenigd Koninkrijk

Uitgebreid tot	In werking	Buiten werking
Britse Maagdeneilanden	07-05-1986	
Falklandeilanden	07-05-1986	
Hongkong (< 01-07-1997)	14-10-1996	01-07-1997
Man	07-05-1986	
Turks- en Caicoseilanden	07-05-1986	
Zuid-Georgië en de Zuidelijke Sandwicheilanden	07-05-1986	

Verklaringen, voorbehouden en bezwaren

Algerije, 22 mei 1996

Article 2: The Government of the People's Democratic Republic of Algeria declares that it is prepared to apply the provisions of this article on condition that they do not conflict with the provisions of the Algerian Family Code.

[...]

Article 15, paragraph 4: The Government of the People's Democratic Republic of Algeria declares that the provisions of article 15, paragraph 4, concerning the right of women to choose their residence and domicile should not be interpreted in such a manner as to contradict the provisions of chapter 4 (art. 37) of the Algerian Family Code.

Article 16: The Government of the People's Democratic Republic of Algeria declares that the provisions of article 16 concerning equal rights for men and women in all matters relating to marriage, both during marriage and at its dissolution, should not contradict the provisions of the Algerian Family Code.

Article 29: The Government of the People's Democratic Republic of Algeria does not consider itself bound by article 29, paragraph 1, which states that any dispute between two or more Parties concerning the interpretation or application of the Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration or to the International Court of Justice.

The Government of the People's Democratic Republic of Algeria holds that no such dispute can be submitted to arbitration or to the Court of International Justice except with the consent of all the parties to the dispute.

Bezwaar door Denemarken, 24 maart 1998

Several Governments (Denmark) notified the Secretary-General that they consider the reservations made by the Government of Algeria upon accession as incompatible with the object and purpose of the said Convention and, therefore, prohibited by virtue of its article 28 (2).

Bezwaar door Duitsland, 19 juni 1997

In respect of the reservation made by Algeria, the Federal Republic of Germany also holds the view that the reservation made by Algeria regarding article 7 of the Convention is likewise incompatible with the object and purpose of the Convention because for all matters which concern national security it reserves in a general and thus unspecific manner the right of the Government of Algeria to apply the provisions only within the limits established by national laws, regulations and practices.

Bezwaar door **Nederlanden, het Koninkrijk der**, 1 juli 1997

The Government of the Kingdom of the Netherlands considers [...] that such reservations, which seeks to limit the responsibilities of the reserving State under the Convention by invoking the general principles of national law and the Constitution, may raise doubts as to the commitment of this State to the object and purpose of the Convention and, moreover contribute to undermining the basis of international treaty law. It is in the common interest of States that treaties to which they have chosen to become parties should be respected, as to object and purpose, by all parties. The Government of the Kingdom of the Netherlands further considers that the reservations made by Algeria regarding article 2 (f), article 5 (a), article 9 and article 16 of the Convention are incompatible with the object and purpose of the Convention. The Government of the Kingdom of the Netherlands therefore objects to the above-mentioned reservations. This objection shall not preclude the entry into force of the Convention between the Kingdom of the Netherlands and Algeria.

Bezwaar door Noorwegen, 3 juli 1997

In the view of the Government of Norway, a statement by which a State Party purports to limit its responsibilities under the Convention by invoking general principles of internal or religious law may create doubts about the commitment of the reserving State to the object and purpose of the Convention and, moreover, contribute to undermining the basis of international treaty law. Under well-established international treaty law, a State is not permitted to invoke internal law as justification for its failure to perform its treaty obligations. Furthermore, the Government of Norway considers that reservation made by the Government of Algeria with respect to certain specific provisions of the Convention is so extensive as to be contrary to the object and purpose of the Convention, and thus not permitted under article 28, paragraph 2, of the Convention. For these reasons, the Government of Norway objects to the reservations made by the Government of Algeria.

The Government of Norway does not consider this objection to preclude the entry into force of the Convention between the Kingdom of Norway and Algeria.

Bezwaar door Portugal, 14 augustus 1997

Several Governments (Portugal) notified the Secretary-General that they consider the reservations made by the Government of Algeria upon accession as incompatible with the object and purpose of the said Convention and, therefore, prohibited by virtue of its article 28 (2).

Bezwaar door Zweden, 4 augustus 1997

Several Governments (Sweden) notified the Secretary-General that they consider the reservations made by the Government of Algeria upon accession as incompatible with the object and purpose of the said Convention and, therefore, prohibited by virtue of its article 28 (2).

Argentinië, 15 juli 1985

The Government of Argentina declares that it does not consider itself bound by article 29, paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women.

Australië, 28 juli 1983

The Government of Australia states that maternity leave with pay is provided in respect of most women employed by the Commonwealth Government and the Governments of New South Wales and Victoria. Unpaid maternity leave is provided in respect of all other women employed in the State of New South Wales and elsewhere to women employed under Federal and some State industrial awards. Social Security benefits subject to income tests are available to women who are sole parents.

The Government of Australia advises that it is not at present in a position to take the measures required by article 11 (2) to introduce maternity leave with pay or with comparable social benefits throughout Australia.

The Government of Australia advises that it does not accept the application of the Convention in so far as it would require alteration of Defence Force policy which excludes women from combat duties.

Australia has a Federal Constitutional System in which Legislative, Executive and Judicial Powers are shared or distributed between the Commonwealth and the Constituent States. The implementation of the Treaty throughout Australia will be effected by the Commonwealth State and Territory Authorities having regard to their respective constitutional powers and arrangements concerning their exercise.

Bahama's, 6 oktober 1993

The Government of the Commonwealth of the Bahamas does not consider itself bound by the provisions of article 2 (a) of the Convention.

The Government of the Commonwealth of the Bahamas does not consider itself bound by the provisions of article 9, paragraph 2, of the Convention.

The Government of the Commonwealth of the Bahamas does not consider itself bound by the provisions of article 29, paragraph 1, of the Convention.

Bahrein, 18 juni 2002

[...] the Kingdom of Bahrain makes reservations with respect to the following provisions of the Convention:

- Article 2, in order to ensure its implementation within the bounds of the provisions of the Islamic Shariah;
- Article 9, paragraph 2;
- Article 15, paragraph 4;
- Article 16, in so far as it is incompatible with the provisions of the Islamic Shariah;
- Article 29, paragraph 1.

Bezwaar door Denemarken, 28 februari 2003

The Government of Denmark has examined the reservations made by the Government of Bahrain upon accession to the Convention on the Elimination of All Forms of Discrimination Against Women regarding article 2, paragraph 2 of article 9, paragraph 4 of article 15 and article 16.

The Government of Denmark finds that the reservation to articles 2 and 16 with reference to the provisions of Islamic Sharia is of unlimited scope and undefined character. Consequently, the Government of Denmark considers the said reservations as being incompatible with the object and purpose of the Convention and accordingly inadmissible and without effect under international law.

The Government of Denmark furthermore notes that the reservations to paragraph 2 of article 9 and to paragraph 4 of article 15 of the Convention seek to exclude an obligation of non-discrimination, which is the aim of the Convention. The Government of Denmark finds that these reservations made by the Government of Bahrain are not in conformity with the object and purpose of the Convention.

The Government of Denmark therefore objects to the aforementioned reservations made by the Government of Bahrain to the Convention on the Elimination of all Forms of Discrimination Against Women. This shall not preclude the entry into force of the Convention in its entirety between Bahrain and Denmark.

The Government of Denmark recommends the Government of Bahrain to reconsider its reservations to the Convention on the Elimination of All Forms of Discrimination against Women.

Bezwaar door Duitsland, 18 februari 2003

The Government of the Federal Republic of Germany has examined the reservations to the Convention on the Elimination of All Forms of Discrimination against Women made by the Government of the Kingdom of Bahrain at the time of accession to the Convention.

The Government of the Federal Republic of Germany is of the view that the reservations with regard to the compatibility of the rules of articles 2 and 16 of the Convention with the precepts of Islamic Shariah raises doubts as to the commitment of the Kingdom of Bahrain to fulfil its obligations under the Convention. These reservations are therefore incompatible with the object and purpose of the Convention.

The reservations to article 9 paragraph 2 and article 15 paragraph 4, if put into practice, would inevitably result in discrimination against women on the basis of sex, which is incompatible with the object and purpose of the Convention.

According to article 28 paragraph 2 of the Convention reservations incompatible with the object and purpose of the Convention shall not be permitted.

Therefore, the Government of the Federal Republic of Germany objects to the aforesaid reservations made by the Government of the Kingdom of Bahrain to the Convention.

This objection does not preclude the entry into force of the Convention between the Federal Republic of Germany and the Kingdom of Bahrain.

Bezwaar door Finland, 10 maart 2003

The Government of Finland has carefully examined the contents of the reservations made by the Government of Bahrain to Article 2, paragraph 2 of Article 9, paragraph 4 of Article 15 and to Article 16 of the Convention on the Elimination of all Forms of Discrimination Against Women.

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 therefore creates serious doubts as to the commitment of the receiving State to fulfil its obligations under the Convention. Such reservations are 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 further notes that the reservations made by Bahrain, addressing some of the most essential provisions of the Convention, and aiming to exclude some of the fundamental obligations under it, are in contradiction with the object and purpose of the Convention.

The Government of Finland also recalls Part VI, Article 28 of the Convention according to which reservations incompatible with the object and purpose of the Convention are not permitted.

The Government of Finland therefore objects to the above-mentioned reservations made by the Government of Bahrain to the Convention.

This objection does not preclude the entry into force of the Convention between Bahrain and Finland. The Convention will thus become operative between the two states without Bahrain benefiting from its reservations.

Bezwaar door Frankrijk, 25 april 2003

The Government of the Republic of France has examined the reservations made by the Government of the Kingdom of Bahrain upon accession to the Convention on the Elimination of All Forms of Discrimination against Women of 18 December 1979. The Government of the Republic of France considers that, by making the implementation of articles 2 and 16 of the Convention subject to respect for the Islamic Shariah, the Government of the Kingdom of Bahrain is making two reservations of such a general and indeterminate scope that it is not possible to ascertain which changes to obligations under the Convention they are intended to introduce. Consequently, the Government of France considers that the reservations as formulated could make the provisions of the Convention completely ineffective. For these reasons, the Government objects to the reservations made in respect of articles 2 and 16 of the Convention, which it considers to be reservations likely to be incompatible with the object and purpose of the Convention.

The Government of France objects to the reservations made in respect of article 9, paragraph 2, and article 15, paragraph 4, of the Convention.

The Government of France notes that these objections shall not preclude the entry into force of the Convention on the Elimination of All Forms of Discrimination against Women between Bahrain and France.

Bezwaar door Griekenland, 13 juni 2003

The Government of the Hellenic Republic has examined the reservations made by the Government of the Kingdom of Bahrain upon accession to the Convention on the Elimination of all Forms of Discrimination Against Women.

The Government of the Hellenic Republic considers that the reservations with respect to articles 2 and 16, which contain a reference to the provisions of the Islamic Sharia are of unlimited scope and, therefore, incompatible with the object and purpose of the Convention.

The Government of the Hellenic Republic recalls that, according to article 28 (para 2) of the Convention, a reservation incompat-

ible with the object and purpose of the Convention shall not be permitted.

The Government of the Hellenic Republic therefore objects to the aforementioned reservations made by the Government of the Kingdom of Bahrain to the Convention on the Elimination of all Forms of Discrimination Against Women. This shall not preclude the entry into force of the Convention in its entirety between Bahrain and Greece.

Bezwaar door **Nederlanden, het Koninkrijk der**, 22 november 2002

The Government of the Kingdom of the Netherlands has examined the reservations made by the Government of Bahrain at the time of its accession to the Convention on the Elimination of All Forms of Discrimination against Women.

The Government of the Kingdom of the Netherlands considers that the reservations with respect to article 9, paragraph 2, and article 15, paragraph 4, of the Convention are reservations incompatible with the object and purpose of the Convention.

Furthermore, the Government of the Kingdom of the Netherlands considers that the reservations with respect to articles 2 and 16 of the Convention, concerning the Islamic Shariah of Bahrain, reservations which seek to limit the responsibilities of the reserving State under the Convention by invoking the Islamic Shariah, may raise doubts as to the commitment of this State to the object and purpose of the Convention and, moreover, contribute to undermining the basis of international treaty law.

The Government of the Kingdom of the Netherlands recalls that, according to paragraph 2 of Article 28 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

It is in the common interest of States that treaties to which they have chosen to become party 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 the Kingdom of the Netherlands therefore objects to the aforesaid reservations made by the Government of Bahrain to the Convention on the Elimination of All Forms of Discrimination against Women.

This objection shall not preclude the entry into force of the Convention between the Kingdom of the Netherlands and Bahrain.

Bezwaar door Oostenrijk, 31 maart 2003

The Government of Austria has examined the reservation to the Convention on the Elimination of all forms of Discrimination against Women made by the Government of the Kingdom of

Bahrain in its note to the Secretary-General of 18 June 2002, regarding articles 2, 9(2), 15(4) and 16.

The reservation to articles 9(2) and 15(4), if put into practice, would inevitably result in discrimination against women on the basis of sex. This is contrary to the object and purpose of the Convention.

The Government of Austria further considers that, in the absence of further clarification, the reservation to articles 2 and 16 which does not clearly specify the extent of Bahrain's derogation from the provisions in question raises doubts as to the degree of commitment assumed by Bahrain in becoming a party to the Convention since it refers to the contents of Islamic Sharia.

The Government of Austria would like to recall that, according to art. 28(2) of the Convention as well as customary international law as codified in the Vienna Convention on the Law of Treaties, a reservation 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.

For these reasons, the Government of Austria objects to this reservation made by the Government of Bahrain.

This position, however, does not preclude the entry into force in its entirety of the Convention between Bahrain and Austria.

Bezwaar door Verenigd Koninkrijk, 26 juni 2003

The Government of the United Kingdom have examined the reservations made by the Government of the Kingdom of Bahrain to the Convention on the Elimination of All Forms of Discrimination Against Women (New York, 18 December 1979) on 18 June 2002 in respect of Article 2, in order to ensure its implementation within the bounds of the provisions of the Islamic Shariah; and Article 16, in so far as it is incompatible with the provisions of the Islamic Shariah.

The Government of the United Kingdom note that a reservation which consists of a general reference to national law without specifying its contents does 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 the Kingdom of Bahrain.

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

Bezwaar door Zweden, 27 november 2002

The Government of Sweden has examined the reservation made by Bahrain upon acceding to the Convention on the Elimination of All Forms of Discrimination Against Women, regarding articles 2, 9(2), 15(4) and 16.

The reservation to articles 9(2) and 15(4), if put into practice, would inevitably result in discrimination against women on the basis of sex, which is contrary to the object and purpose of the Convention. It should be borne in mind that the principles of the equal rights of men and women and of non-discrimination on the basis of sex are set forth in the Charter of the United Nations as one of the purposes of the organisation, as well as in the Universal Declaration of Human Rights of 1948.

The reservation to articles 2 and 16 make general references to Islamic sharia. The Government of Sweden is of the view that, in absence of further clarification, this reservation which does not clearly specify the extent of Bahrain's derogation from the provisions in question raises serious doubts as to the commitment of Bahrain to the object and purpose of the Convention.

According to article 28(2) of the Convention, reservations incompatible with the object and purpose of the Convention 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 objects to the aforesaid reservations made by the Government of Bahrain to the Convention on the Elimination of All Forms of Discrimination Against Women and considers the reservation null and void.

This objection shall not preclude the entry into force of the Convention between Bahrain and Sweden. The Convention enters into force in its entirety between the two States, without Bahrain benefiting from its reservation.

Bangladesh, 6 november 1984

The Government of the People's Republic of Bangladesh does not consider as binding upon itself the provisions of article 2, [...] as they conflict with Sharia law based on Holy Quran and Sunna.

Bezwaar door Duitsland, 10 juli 1985

The Federal Republic of Germany considers that the reservations made by Bangladesh regarding article 2, [...] are incompatible with the object and purpose of the Convention (article 28, paragraph 2) and therefore objects to [them]. In relation to the Federal Republic of Germany, they may not be invoked in support of a legal practice which does not pay due regard to the legal sta-

tus afforded to women and children in the Federal Republic of Germany in conformity with the above-mentioned articles of the Convention. This objection shall not preclude the entry into force of the Convention as between Bangladesh and the Federal Republic of Germany.

Bezwaar door Mexico, 21 februari 1985

The Government of the United Mexican States has studied the content of the reservations made by Bangladesh to article 2, [...] of the Convention and has concluded that they should be considered invalid in the light of article 28, paragraph 2, of the Convention, because they are incompatible with its object and purpose.

Indeed, these reservations, if implemented, would inevitably result in discrimination against women on the basis of sex, which is contrary to all the articles of the Convention. The principles of equal rights of men and women and non-discrimination on the basis of sex, which are embodied in the second preambular paragraph and Article 1, paragraph 3, of the Charter of the United Nations, to which Bangladesh is a signatory, and in articles 2 and 16 of the Universal Declaration of Human Rights of 1948, were previously accepted by the Government of Bangladesh when it acceded, [...] to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. The above principles were stated in article 2, paragraph 1, and article 3 of the former Covenant and in article 2, paragraph 2, and article 3 of the latter. Consequently, it is inconsistent with these contractual obligations previously assumed by Bangladesh for its Government now to claim that it has reservations, on the same subject, about the 1979 Convention.

Bezwaar door **Nederlanden, het Koninkrijk der**, 23 juli 1991

The Government of the Kingdom of the Netherlands considers that the reservations made by Bangladesh regarding article 2, [...] are incompatible with the object and purpose of the Convention (article 28, paragraph 2).

These objections shall not preclude the entry into force of the Convention as between Bangladesh and the Kingdom of the Netherlands.

Bezwaar door Zweden, 17 maart 1986

The Government of Sweden considers that the reservations regarding article 2, [...] are incompatible with the object and purpose of the Convention (article 28, paragraph 2) and therefore objects to them.

Indeed the reservations in question, if put into practice, would inevitably result in discrimination against women on the basis of

sex, which is contrary to everything the Convention stands for. It should also be borne in mind that the principles of the equal rights of men and women and of non-discrimination on the basis of sex are set forth in the Charter of the United Nations as one of its purposes, in the Universal Declaration of Human Rights of 1948 and in various multilateral instruments, to which Bangladesh is a party.

[...]

In this context the Government of Sweden wishes to take this opportunity to make the observation that the reason why reservations incompatible with the object and purpose of a treaty are not acceptable is precisely that otherwise they would render a basic international obligation of a contractual nature meaningless. Incompatible reservations, made in respect of the Convention on the elimination of all forms of discrimination against women, do not only cast doubts on the commitments of the reserving states to the objects and purpose of this Convention, but moreover, contribute to undermine the basis of international contractual law. It is in the common interest of states that treaties to which they have chosen to become parties also are respected, as to object and purpose, by other parties.

Brazilië, 1 februari 1984

[...]

Furthermore, Brazil does not consider itself bound by article 29, paragraph 1, of the above-mentioned Convention.

Brunei, 24 mei 2006

The Government of Brunei Darussalam expresses its reservations regarding those provisions of the said Convention that may be contrary to the Constitution of Brunei Darussalam and to the beliefs and principles of Islam, the official religion of Brunei Darussalam and, without prejudice to the generality of the said reservations, expresses its reservations regarding paragraph 2 of Article 9 and paragraph 1 of Article 29 of the Convention.

Bezwaar door België, 30 april 2007

Belgium has carefully examined the reservation formulated by Brunei Darussalam when it acceded, on 24 May 2006, to the Convention on the Elimination of All Forms of Discrimination against Women, adopted in New York on 18 December 1979. Belgium notes that the reservation formulated with respect to article 9, paragraph 2, concerns a fundamental provision of the Convention and is therefore incompatible with the object and purpose of that instrument.

In addition, the reservation makes the implementation of the Convention's provisions contingent upon their compatibility with

the Constitution of Brunei Darussalam and the beliefs and principles of Islam, the official religion of Brunei Darussalam. This creates uncertainty as to which of its obligations under the Convention Brunei Darussalam intends to observe and raises doubts as to Brunei Darussalam's respect for the object and purpose of the Convention.

Belgium recalls that, under article 28, paragraph 2, of the Convention, reservations incompatible with the object and purpose of the Convention are not permitted. It is in the common interest for all parties to respect the treaties to which they have acceded and for States to be willing to enact such legislative amendments as may be necessary in order to fulfil their treaty obligations. Under customary international law, as codified in the Vienna Convention on the Law of Treaties, a reservation incompatible with the object and purpose of a treaty is not permitted (article 19 (c)).

In consequence, Belgium objects to the reservation formulated by Brunei Darussalam with respect to the Convention on the Elimination of All Forms of Discrimination against Women. This objection shall not preclude the entry into force of the Convention between the Kingdom of Belgium and Brunei Darussalam. The Convention shall enter into force in its entirety, without Brunei Darussalam benefiting from its reservation.

Bezwaar door Canada, 14 juni 2007

Canada has carefully examined the reservation formulated by Brunei Darussalam when it acceded, on 24 May 2006, to the Convention on the Elimination of All Forms of Discrimination against Women, adopted in New York on 18 December 1979.

Canada notes that the reservation formulated with respect to article 9, paragraph 2, concerns a fundamental provision of the Convention and is therefore incompatible with the object and purpose of that instrument.

In addition, the reservation makes the implementation of the Convention's provisions contingent upon their compatibility with the Constitution of Brunei Darussalam and the beliefs and principles of Islam, the official religion of Brunei Darussalam. The Government of Canada notes that such general reservation of unlimited scope and undefined character does not clearly define for the other States Parties to the Convention the extent to which Brunei Darussalam has accepted the obligations of the Convention and creates serious doubts as to the commitment of the State to fulfil its obligations under the Convention. Accordingly, the Government of Canada considers this reservation to be incompatible with the object and purpose of the Convention.

It is in the common interest of States that treaties to which they have chosen to become party 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.

Canada recalls that, under article 28, paragraph 2, of the Convention, reservations incompatible with the object and purpose of the Convention are not permitted.

Under customary international law, as codified in the Vienna Convention on the Law of Treaties, a reservation incompatible with the object and purpose of a treaty is not permitted.

In consequence, Canada objects to the reservation formulated by Brunei Darussalam with respect to the Convention on the Elimination of All Forms of Discrimination against Women. This objection shall not preclude the entry into force of the Convention between Canada and Brunei Darussalam. The Convention shall enter into force in its entirety, without Brunei Darussalam benefiting from its reservation.

Bezwaar door Denemarken, 6 oktober 2006

The Government of Denmark has examined the reservations made by the Government of Brunei Darussalam upon accession to the Convention on the Elimination of all Forms of Discrimination Against Women regarding article 9 (2) and all provisions of the Convention not in accordance with the principles of Islam. The Government of Denmark finds that the general reservation made by the Government of Brunei Darussalam with reference to the principles of Islam is of unlimited scope and undefined character. The Government of Denmark furthermore notes that the reservation to article 9 (2) would inevitably result in the discrimination against women on the basis of sex, which is contrary to the object and purpose of the Convention. Consequently, the Government of Denmark considers the said reservations to be incompatible with the object and purpose of the Convention and accordingly inadmissible and without effect under international law.

The Government of Denmark wishes to recall that, according to article 28 (2) of the Convention, reservations incompatible with the object and purpose of the Convention shall not be permitted. The Government of Denmark therefore objects to the aforementioned reservations made by the Government of Brunei Darussalam to the Convention on the Elimination of all Forms of Discrimination Against Women. This shall not preclude the entry into force of the Convention in its entirety between Brunei Darussalam and Denmark.

The Government of Denmark recommends the Government of Brunei Darussalam to reconsider its reservations to the Convention on the Elimination of all Forms of Discrimination Against Women.

Bezwaar door Duitsland, 19 december 2006

The Government of the Federal Republic of Germany has carefully examined the reservations made by Brunei Darussalam on 24 May 2006 upon accession to the Convention on the Elimination of All Forms of Discrimination Against Women of 18 December 1979. The reservations state that Brunei Darussalam does not consider itself bound by provisions of the Convention that are contrary to the Constitution of Brunei Darussalam and to the beliefs and principles of Islam, in particular Article 9 (2) of the Convention.

The Government of the Federal Republic of Germany is of the opinion that by giving precedence to the beliefs and principles of Islam and its own constitutional law over the application of the provisions of the Convention, Brunei Darussalam has made a reservation which leaves it unclear to what extent it feels bound by the obligations of the Convention and which incompatible with the object and purpose of the Convention. Furthermore, the reservation to Article 9 (2) will unavoidably result in a legal situation that discriminates against women, which is incompatible with the object and purpose of the Convention,

Pursuant to Article 28 (2) of the Convention, reservations that are incompatible with the object and purpose of the Convention shall not be permitted.

The Government of the Federal Republic of Germany therefore objects to the above-mentioned reservations. This objection shall not preclude the entry into force of the Convention between the Federal Republic of Germany and Brunei Darussalam.

Bezwaar door Estland, 4 december 2006

The Government of the Republic of Estonia has carefully examined the reservations made by the Government of Brunei Darussalam to Article 9, paragraph 2 of the Convention on the Elimination of all Forms of Discrimination Against Women.

The reservation to Article 9, paragraph 2, if put into practice, would inevitably result in discrimination against women on the basis of sex, which is contrary to the object and purpose of the Convention.

Furthermore, the reservation made by Brunei Darussalam makes a general reference to the Constitution of Brunei Darussalam and to the beliefs and principles of Islam. The Government of Estonia is of the view that in the absence of further clarification, the reservation makes it unclear to what extent the State of Brunei Darussalam considers itself bound by the obligations of the Convention and therefore raises concerns as to the commitment of the State of Brunei Darussalam to the object and purpose of the Convention.

According to Article 28, paragraph 2 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

The Government of Estonia therefore objects to the reservation to Article 9, paragraph 2, and to the general reservation regarding the Constitution of Brunei Darussalam and to the beliefs and principles of Islam, made by the Government of Brunei Darussalam to the Convention on the Elimination of all Forms of Discrimination Against Women.

This objection shall not preclude the entry into force of the Convention on the Elimination of all Forms of Discrimination Against Women as between the Republic of Estonia and the State of Brunei Darussalam.

Bezwaar door Finland, 27 februari 2007

The Government of Finland has carefully examined the contents of the general reservation made by the Government of Brunei Darussalam to the Convention on the Elimination of All Forms of Discrimination against Women and the specific reservation concerning paragraph 2 of Article 9 of the Convention.

The Government of Finland recalls that by acceding to the Convention, a State commits itself to adopt the measures required for the elimination of discrimination, in all its forms and manifestations, against women.

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 also notes that the specific reservation made by Brunei Darussalam concerning paragraph 2 of Article 9 aims to exclude one of the fundamental obligations under the Convention and is therefore in contradiction with the object and purpose of the Convention.

The Government of Finland also recalls Part VI, Article 28 of the Convention, according to which reservations incompatible with the object and purpose of the Convention are not permitted.

The Government of Finland therefore objects to the above-mentioned reservations made by the Government of Brunei Darussalam to the Convention. This objection does not preclude the entry into force of the Convention between Brunei Darussalam and Finland. The Convention will thus become operative

between the two States without Brunei Darussalam benefiting from its reservations.

Bezwaar door Frankrijk, 13 juni 2007

The Government of the French Republic has examined the reservations made by Brunei Darussalam upon acceding to the Convention on the Elimination of All Forms of Discrimination against Women, of 18 December 1979. The Government of the French Republic believes that in 'expressing' reservations regarding provisions of the Convention 'that may be contrary to the Constitution of Brunei Darussalam and to the beliefs and principles of Islam', Brunei Darussalam is making a reservation of broad and indeterminate scope which does not allow the other States Parties to ascertain which provisions of the Convention are envisaged and which may render the provisions of the Convention null and void. The Government of the French Republic believes that this reservation is incompatible with the object and purpose of the Convention and objects to it. The Government of the French Republic also objects to the reservation made specifically to article 9, paragraph 2 of the Convention. These objections shall not preclude the entry into force of the Convention between France and Brunei Darussalam.

Bezwaar door Griekenland, 15 juni 2007

The Government of the Hellenic Republic consider that the reservation "regarding those provisions of the said Convention that may be contrary to the Constitution of Brunei Darussalam and to the beliefs and principles of Islam, the official religion of Brunei Darussalam" is of unlimited scope and undefined character, while furthermore, subjects the application of the Convention to the constitutional law of Brunei Darussalam and the beliefs and principles of Islam. It is, therefore, incompatible with the object and purpose of the Convention.

Moreover, the Government of the Hellenic Republic consider that the reservation to article 9 par. 2 does not specify the extent of the derogation therefrom and, therefore, are incompatible with the object and purpose of the Convention.

The Government of the Hellenic Republic recall that, according to Article 28 paragraph 2 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

For these reasons, the Government of the Hellenic Republic object to the abovementioned reservations formulated by Brunei Darussalam.

This objection shall not preclude the entry into force of the Convention between Greece and Brunei Darussalam.

Bezwaar door Hongarije, 24 april 2007

The Government of the Republic of Hungary has examined the reservation made by the Brunei Darussalam on 24 May 2006 upon accession to the Convention on the Elimination of All Forms of Discrimination against Women of 18 December 1979. The reservation states that the Brunei Darussalam does not consider itself bound by Article 9 (2) of the Convention.

The Government of the Republic of Hungary is of the opinion that the reservation to Article 9 (2) will unavoidably result in a legal situation that discriminates against women, which is incompatible with the object and purpose of the Convention.

Pursuant to Article 28 (2) of the Convention, reservations that are incompatible with the object and purpose of the Convention shall not be permitted.

The Government of the Republic of Hungary therefore objects to the above-mentioned reservation. This objection shall not preclude the entry into force of the Convention between the Republic of Hungary and the Brunei Darussalam.

Bezwaar door Ierland, 19 december 2006

The Government of Ireland has examined the reservation made on 24 May 2006 by Brunei Darussalam to the Convention on the Elimination of All Forms of Discrimination Against Women at the time of its accession thereto.

The Government of Ireland notes that Brunei Darussalam subjects application of the Convention on the Elimination of All Forms of Discrimination against Women to the Constitution of Brunei Darussalam and to the beliefs and principles of Islam. The Government of Ireland is of the view that a reservation which consists of a general reference to religious law and to the Constitution of the reserving State and which does not clearly specify the provisions of the Convention to which it applies and the extent of the derogation therefrom, may cast doubts on the commitment of the reserving State to fulfil its obligations under the Convention. The Government of Ireland is furthermore of the view that such a general reservation may undermine the basis of international treaty law and is incompatible with the object and purpose of the Convention. The Government of Ireland recalls that according to Article 28, paragraph 2 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

The Government of Ireland further considers that the reservation made with respect to Article 9, paragraph 2 is incompatible with the object and purpose of the Convention.

The Government of Ireland therefore objects to the aforesaid reservations made by the Brunei Darussalam to the Convention on the Elimination of All forms of Discrimination against Women.

This objection shall not preclude the entry into force of the Convention between Ireland and Brunei Darussalam.

Bezwaar door Italië, 15 juni 2007

[...] the Government of Italy has carefully examined the reservations made by Brunei Darussalam on 24 May 2006 upon accession to the Convention on the Elimination of All Forms of Discrimination Against Women of 18 December 1979. The reservations state that Brunei Darussalam does not consider itself bound by provisions of the Convention that are contrary to the Constitution of Brunei Darussalam and to the beliefs and principles of Islam, in particular Article 9 (2) of the Convention.

The Government of Italy is of the opinion that by giving precedence to the beliefs and principles of Islam and its own constitutional law over the application of the provisions of the Convention, Brunei Darussalam has made a reservation which leaves it unclear to what extent it feels bound by the obligations of the Convention and which is incompatible with the object and purpose of the Convention. Furthermore, the reservation to Article 9 (2) will unavoidably result in a legal situation that discriminates against women, which is incompatible with the object and purpose of the Convention.

Pursuant to Article 28 (2) of the Convention, reservations that are incompatible with the object and

purpose of the Convention shall not be permitted.

The Government of Italy therefore objects to the above-mentioned reservations. This objection shall not preclude the entry into force of the Convention between Italy and Brunei Darussalam.

Bezwaar door Letland, 6 december 2006

The Government of the Republic of Latvia has carefully examined the reservations made by the Brunei Darussalam to the Convention on the Elimination of All Forms of Discrimination against Women upon accession to the Convention regarding paragraph 2 of Article 9, paragraph 1 of Article 29.

The Government of the Republic of Latvia considers that the aim of the said Convention is to grant the equality between men and women and therefore the distinction between genders regarding the rights to determinate the nationality of children is not in accordance with the aim of the said convention.

Moreover, the reservation made by the Brunei Darussalam regarding paragraph 1 of Article 29 is in accordance with the Convention and general principles of international law, because any state may declare that it is not bound by some mechanism of settlement of disputes.

The Government of the Republic of Latvia recalls Article 28 of the Convention setting out that reservations incompatible with the object and purpose of the Convention are not permitted.

The Government of the Republic of Latvia, therefore, objects to the aforesaid reservation made by the Brunei Darussalam to the Convention on the Elimination of All Forms of Discrimination against Women.

However, this objection shall not preclude the entry into force of the Convention between the Republic of Latvia and the Brunei Darussalam. Thus, the Convention will become operative without Brunei Darussalam benefiting from its reservation.

Bezwaar door **Nederlanden, het Koninkrijk der**, 11 april 2007
The Government of the Kingdom of the Netherlands has examined the reservations made by Brunei Darussalam to the Convention on the Elimination of All Forms of Discrimination against Women. The Government of the Kingdom of the Netherlands considers that the reservation with respect to article 9, paragraph 2, of the Convention is a reservation incompatible with the object and purpose of the Convention.

Furthermore, the Government of the Kingdom of the Netherlands considers that with the first reservation the application of the Convention on the Elimination of All Forms of Discrimination against Women is made subject to the beliefs and principles of Islam and the provisions of constitutional law in force in Brunei Darussalam. This makes it unclear to what extent Brunei Darussalam considers itself bound by the obligations of the Convention and therefore raises concerns as to the commitment of Brunei Darussalam to the object and purpose of the Convention.

The Government of the Kingdom of the Netherlands recalls that, according to paragraph 2 of article 28 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

It is in the common interest of States that treaties to which they have chosen to become party 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 the Kingdom of the Netherlands therefore objects to the aforesaid reservations made by the Government of Brunei Darussalam to the Convention on the Elimination of All Forms of Discrimination against Women.

This objection shall not preclude the entry into force of the Convention between the Kingdom of the Netherlands and Brunei.

Bezwaar door Noorwegen, 21 maart 2007

The Government of Norway has examined the reservations made by the Government of Brunei Darussalam upon accession to the Convention on the Elimination of All Forms of Discrimination Against Women (New York, 18 December 1979).

In the view of the Government of Norway, a statement by which a State Party purports to limit its responsibilities under the Convention by invoking general principles of internal or religious law may create doubts about the commitment of the reserving State to the object and purpose of the Convention and, moreover, contribute to undermining the basis of international treaty law. Under well-established international treaty law, a State is not permitted to invoke internal law as a justification for its failure to perform its treaty obligations. For these reasons, the Government of Norway objects to the reservation made by the Government of Brunei Darussalam.

This objection does not preclude the entry into force in its entirety of the Convention between the Kingdom of Norway and Brunei Darussalam. The Convention thus becomes operative between Norway and Brunei Darussalam without Brunei Darussalam benefiting from the said reservations.

Bezwaar door Oostenrijk, 18 december 2006

The Government of Austria has examined the reservations made by the Government of Brunei Darussalam upon accession to the Convention on the Elimination of All Forms of Discrimination against Women.

The Government of Austria finds that the reservation to article 9, paragraph 2 would inevitably result in discrimination against women on the basis of sex. This is contrary to the object and purpose of the Convention.

The Government of Austria further considers that, in the absence of further clarification, the reservation "regarding those provisions of the said Convention that may be contrary to the Constitution of Brunei Darussalam and to the beliefs and principles of Islam" does not clearly specify its extent and therefore raises doubts as to the degree of commitment assumed by Brunei Darussalam in becoming a party to the Convention.

The Government of Austria would like to recall that, according to article 28, paragraph 2 of the Convention as well as customary international law as codified in the Vienna Convention on the Law of Treaties, a reservation 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.

For these reasons, the Government of Austria objects to the aforementioned reservations made by Brunei Darussalam to the Convention on the Elimination of All Forms of Discrimination against Women.

This position however does not preclude the entry into force in its entirety of the Convention between Brunei Darussalam and Austria.

Bezwaar door Polen, 7 juni 2007

The Government of the Republic of Poland has examined the reservations made by Brunei Darussalam upon accession to the Convention on the Elimination of All Forms of Discrimination against Women, adopted by General Assembly of the United Nations on December 18, 1979, regarding article 9 paragraph 2 and those provisions of the Convention that may be contrary to the Constitution of Brunei Darussalam and to the beliefs and principles of Islam.

The Government of the Republic of Poland considers that the reservations made by the Brunei Darussalam are incompatible with the object and purpose of the Convention which guarantees equal rights of women and men to exercise their economic, social, cultural, civil, and political rights. The Government of the Republic of Poland therefore considers that, according to article 19 (c) of the Vienna Convention on the Law of Treaties, done at Vienna on 23 May 1969, as well as article 28 (2) of the Convention on the Elimination of All Forms of Discrimination against Women, reservations incompatible with the object and purpose of a treaty shall not be permitted.

Moreover, the Government of the Republic of Poland considers that by making a general reference to the 'beliefs and principles of Islam' without indicating the provisions of the Convention to which they apply, Brunei Darussalam does not specify the exact extent of the introduced limitations and thus does not define precisely enough the extent to which Brunei Darussalam has accepted the obligations under the Convention.

The Government of the Republic of Poland therefore objects to the aforementioned reservations made by Brunei Darussalam upon accession to the Convention on the Elimination of All Forms of Discrimination against Women, adopted by General Assembly of the United Nations on 18 December 1979, regarding article 9 paragraph 2 and those provisions of the Convention that may be contrary to the Constitution of Brunei Darussalam and to the beliefs and principles of Islam.

This objection does not preclude the entry into force of the Convention between the Republic of Poland and Brunei Darussalam.

Bezwaar door Portugal, 30 januari 2007

The reservation concerning the “provisions of the said Convention that may be contrary to the Constitution of Brunei Darussalam and to the beliefs and principles of Islam, the official religion of Brunei Darussalam” is too general and vague and seeks to limit the scope of the Convention on a unilateral basis that is not authorised by it. Moreover, this reservation creates doubts as to the commitment of the reserving State to the object and purpose of the Convention and, moreover, contributes to undermining the basis of international law. It is in the common interest of all 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 reservation concerning article 9 (2) undermines a key provision of the Convention concerning the elimination of discrimination against women on the basis of sex. This reservation is thus incompatible with the object and purpose of the Convention and is not permitted under article 28 (2) of the CEDAW.

The Government of the Portuguese Republic, therefore, objects to the above mentioned reservations made by the Government of Brunei Darussalam to the CEDAW.

This objection shall not preclude the entry into force of the Convention between Portugal and Brunei Darussalam.

Bezwaar door Roemenië, 8 februari 2007

The Government of Romania has carefully considered the reservations made by Brunei Darussalam on 24 May 2006 upon accession to the Convention on the Elimination of all Forms of Discrimination against Women (New York), 18 December 1979) and regards the reservation made to Article 9 para. 2 as incompatible with the object and purpose of the Convention, as, by its formulation, a certain form of discrimination against women is maintained and, implicitly, the inequality of rights between men and women is perpetuated.

Furthermore, the Government of Romania is of the opinion that the general reservation made by Brunei Darussalam subjects the application of the provisions of the Convention to their compatibility with the Islamic law and the fundamental law of this State. This reservation is, thus, problematic as it raises questions with regard to the actual obligations Brunei Darussalam understood to undertake by acceding to the Convention, and with regard to its commitment to the object and purpose of the Convention.

The Government of Romania recalls that, pursuant to Article 28 para. 2 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

Consequently, the Government of Romania objects to the aforementioned reservations made by Brunei Darussalam to the Convention on the Elimination of all Forms of Discrimination against Women. This objection shall not preclude the entry into force of the Convention, in its entirety, between Romania and Brunei Darussalam.

The Government of Romania recommends to Brunei Darussalam to reconsider the reservations made to the Convention on the Elimination of all Forms of Discrimination against Women.

Bezwaar door Slowakije, 11 mei 2007

With regard to the reservations made by Brunei Darussalam upon accession:

The Government of Slovakia has carefully examined the content of the reservations made by the Brunei Darussalam upon its accession to the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW).

The Government of Slovakia is of the opinion that the reservation containing the reference to the beliefs and principles of Islam is too general and raises serious doubt as to the commitment of Brunei Darussalam to the object and the purpose of the Convention.

Moreover, the Government of Slovakia considers that one of the aims of the Convention is to grant the equality between men and women with respect to determine the nationality of their children. Therefore it finds the reservation of Brunei Darussalam to paragraph 2 of article 9 of the Convention as undermining one of key provisions of the Convention and is incompatible with its object and purpose. It is therefore inadmissible and shall be permitted, in accordance with paragraph 2 of article 28 of the Convention on the Elimination of all Forms of Discrimination against Women. For these reasons, the Government of Slovakia objects to the above mentioned reservations made by the Brunei Darussalam upon its accession to the Convention on the Elimination of all Forms of Discrimination against Women.

This objection shall not preclude the entry into force of the Convention between Slovakia and the Brunei Darussalam. The Convention enters into force in its entirety between Slovakia and the Brunei Darussalam without the Brunei Darussalam benefiting from its reservations.

Bezwaar door Spanje, 13 juni 2007

The Government of the Kingdom of Spain has examined the reservations made by Brunei Darussalam upon acceding to the Convention on the Elimination of All Forms of Discrimination against Women regarding all the provisions of the Convention that may be contrary to the Constitution of Brunei Darussalam and to the

beliefs and principles of Islam, and regarding article 9.2 of the Convention.

The Government of the Kingdom of Spain believes that, by making the implementation of the provisions of the Convention subject to their compatibility with the Constitution of Brunei Darussalam and with the beliefs and principles of Islam, Brunei Darussalam has made a reservation which does not permit a clear determination of the extent to which it has accepted the obligations deriving from the Convention and that, consequently, the reservation raises doubts about the commitment of Brunei Darussalam to the object and purpose of the Convention. Moreover, the reservation regarding article 9.2 would exempt Brunei Darussalam from its commitment in relation to an essential element of the Convention and allow the continuation of a situation of de jure discrimination against women on grounds of sex which is incompatible with the object and purpose of the Convention.

The Government of the Kingdom of Spain recalls that, under article 28.2 of the Convention, reservations that are incompatible with the object and purpose of the Convention are not permitted. Accordingly, the Government of the Kingdom of Spain objects to the reservations made by Brunei Darussalam regarding those provisions of the Convention on the Elimination of All Forms of Discrimination against Women that may be contrary to the Constitution of Brunei Darussalam and to the beliefs and principles of Islam and regarding article 9.2 of the Convention. This objection shall not preclude the entry into force of the Convention between the Kingdom of Spain and Brunei Darussalam.

Bezwaar door Tsjechië, 11 april 2007

The Government of the Czech Republic has examined the reservations made by the Government of Brunei Darussalam upon accession to the Convention on the Elimination of All Forms of Discrimination against Women regarding Article 9 paragraph 2 and those provisions of the Convention that may be contrary to the Constitution of Brunei Darussalam and to the beliefs and principles of Islam.

The Government of the Czech Republic notes that a reservation to a Convention which consists of a general reference to national law without specifying its contents does 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. Furthermore, the reservation made to Article 9 paragraph 2, if put into practice, would inevitably result in discrimination against women on the basis of sex, which is contrary to the object and purpose of the Convention.

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. According to Article 28 paragraph 2 of the Convention and 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.

The Government of the Czech Republic therefore objects to the aforesaid reservations made by the Government of Brunei Darussalam to the Convention. This objection shall not preclude the entry into force of the Convention between the Czech Republic and Brunei Darussalam. The Convention enters into force in its entirety between the Czech Republic and Brunei Darussalam, without Brunei Darussalam benefiting from its reservation.

Bezwaar door Verenigd Koninkrijk, 14 juni 2007

The Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations [...] has the honour to refer to the reservations made by the Government of Brunei Darussalam to the Convention on the Elimination of all Forms of Discrimination Against Women (New York, 18 December 1979), which read:

“The Government of Brunei Darussalam expresses its reservations regarding those provisions of the said Convention that may be contrary to the Constitution of Brunei Darussalam and to the beliefs and principles of Islam, the official religion of Brunei Darussalam and, without prejudice to the generality of the said reservations, expresses its reservations regarding paragraph 2 of Article 9 and paragraph 1 of Article 29 of the Convention.”

In the view of the United Kingdom a reservation should clearly define for the other States Parties to the Convention the extent to which the reserving State has accepted the obligations of the Convention. A reservation which consists of a general reference to a system of law without specifying its contents does not do so. The Government of the United Kingdom therefore object to the reservations made by the Government of Brunei Darussalam.

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

Bezwaar door Zweden, 12 februari 2007

The Government of Sweden has examined the reservations made by Brunei Darussalam on 24 May 2006 to the Convention on the Elimination of All Forms of Discrimination against Women.

The Government of Sweden notes that Brunei Darussalam gives precedence to the beliefs and principles of Islam and national legislation over the application of the provisions of the Conven-

tion. The Government of Sweden is of the view that this reservation which does not clearly specify the extent of Brunei Darussalam's derogation from the provisions in questions raises serious doubt as to the commitment of Brunei Darussalam to the object and purpose of the Convention.

Furthermore, the Government of Sweden considers that, regarding the reservation made with respect to article 9 (2), if put into practice, would inevitably result in discrimination against women on the basis of sex, which is contrary to the object and purpose of the Convention. It should be borne in mind that the principles of the equal rights of women and men and of non-discrimination on the basis of sex are set forth in the Charter of the United Nations as one of the purposes of the organization, as well as the Universal Declaration of Human Rights of 1948.

According to article 28 (2) of the Convention and to international customary law, as codified in the Vienna convention on the Law of Treaties, reservations incompatible with the object and purpose of the Convention 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 reservations made by Brunei Darussalam to the Convention on the Elimination of All Forms of Discrimination against Women and considers them null and void.

This objection shall not preclude the entry into force of the Convention between Brunei Darussalam and Sweden. The convention enters into force in its entirety between the two States without Brunei Darussalam benefiting from its reservations.

Chili, 17 juli 1980

The Government of Chile has signed this Convention on the Elimination of All Forms of Discrimination Against Women, mindful of the important step which this document represents, not only in terms of the elimination of all forms of discrimination against women, but also in terms of their full and permanent integration into society in conditions of equality. The Government is obliged to state, however, that some of the provisions of the Convention are not entirely compatible with current Chilean legislation.

At the same time, it reports the establishment of a Commission for the Study and Reform of the Civil Code, which now has before it various proposals to amend, inter alia, those provisions which are not fully consistent with the terms of the Convention.

China, 4 november 1980

The People's Republic of China does not consider itself bound by paragraph 1 of article 29 of the Convention.

China, 10 juni 1997

1. [...]

2. The Government of the People's Republic of China understands, on behalf of the Hong Kong Special Administrative Region, the main purpose of the Convention, in the light of the definition contained in article 1, to be the reduction, in accordance with its terms, of discrimination against women, and does not therefore regard the Convention as imposing any requirement upon the Hong Kong Special Administrative Region to repeal or modify any of its existing laws, regulations, customs or practices which provide for women to be treated more favourably than men, whether temporarily or in the longer term. Undertakings by the Government of the People's Republic of China on behalf of the Hong Kong Special Administrative Region under article 4, paragraph 1, and other provisions of the Convention are to be construed accordingly.

3. The Government of the People's Republic of China reserves, for the Hong Kong Special Administrative Region, the right to continue to apply relevant immigration legislation governing the entry into, stay in and departure from the Hong Kong Special Administrative Region as may be deemed necessary from time to time. Accordingly, acceptance of article 15, paragraph 4, and of the other provisions of the Convention is subject to the provisions of any such legislation as regards persons not at the time having the right under the laws of the Hong Kong Special Administrative Region to enter and remain in the Hong Kong Special Administrative Region.

4. The Government of the People's Republic of China understands, in the light of the definition contained in article 1, that none of its obligations under the Convention shall be treated as extending to the affairs of religious denominations or orders in the Hong Kong Special Administrative Region.

5. Laws applicable in the New Territories of the Hong Kong Special Administrative Region which enable male indigenous villagers to exercise certain rights in respect of property and which provide for rent concessions in respect of land or property held by indigenous persons or their lawful successors through the male line will continue to [be] applied.

6. The Government of the People's Republic of China reserves, for the Hong Kong Special Administrative Region, the right to apply all its legislation and the rules of pension schemes affecting retirement pensions, survivors' benefits in relation to death or retirement (including retirement on ground of redundancy), whether or not derived from a social security scheme.

This reservation will apply to any future legislation which may modify or replace such aforesaid legislation, or the rules of pension schemes, on

the understanding that the terms of such legislation will be compatible with the Government of the People's Republic of China's obligations under the Convention in respect of the Hong Kong Special Administrative Region.

The Government of the People's Republic of China reserves the right for the Hong Kong Special Administrative Region to apply any non-discriminatory requirement for a qualifying period of employment for the application of the provisions contained in article 11, paragraph 2 of the Convention.

7. The Government of the People's Republic of China understands, on behalf of the Hong Kong Special Administrative Region, the intention of article 15, paragraph 3, of the Convention to be that only those terms or elements of the contract or other private instrument which are discriminatory in the sense described are to be deemed null and void, but not necessarily the contract or instrument as a whole.

Cuba, 17 juli 1980

The Government of the Republic of Cuba makes a specific reservation concerning the provisions of article 29 of the Convention inasmuch as it holds that any disputes that may arise between States Parties should be resolved through direct negotiations through the diplomatic channel.

Duitsland, 10 juli 1985

The Federal Republic of Germany declares in respect of the paragraph of the Preamble to the Convention starting with the words "affirming that the strengthening of international peace and security":

The right of peoples to self-determination, as enshrined in the Charter of the United Nations and in the International Covenants of 19 December 1966, applies to all peoples and not only to those living "under alien and colonial domination and foreign occupation". All peoples thus have the inalienable right freely to determine their political status and freely to pursue their economic, social and cultural development. The Federal Republic of Germany would be unable to recognize as legally valid an interpretation of the right to self-determination which contradicts the unequivocal wording of the Charter of the United Nations and of the two International Covenants of 19 December 1966 on Civil and Political Rights and on Economic, Social and Cultural Rights. It will interpret the 11th paragraph of the Preamble accordingly.

[...]

Egypte, 18 september 1981

General reservation on article 2

The Arab Republic of Egypt is willing to comply with the content of this article, provided that such compliance does not run counter to the Islamic Sharia.

[...]

In respect of article 16

Reservation to the text of article 16 concerning the equality of men and women in all matters relating to marriage and family relations during the marriage and upon its dissolution, without prejudice to the Islamic Sharia's provisions whereby women are accorded rights equivalent to those of their spouses so as to ensure a just balance between them. This is out of respect for the sacrosanct nature of the firm religious beliefs which govern marital relations in Egypt and which may not be called in question and in view of the fact that one of the most important bases of these relations is an equivalency of rights and duties so as to ensure complementary which guarantees true equality between the spouses. The provisions of the Sharia lay down that the husband shall pay bridal money to the wife and maintain her fully and shall also make a payment to her upon divorce, whereas the wife retains full rights over her property and is not obliged to spend anything on her keep. The Sharia therefore restricts the wife's rights to divorce by making it contingent on a judge's ruling, whereas no such restriction is laid down in the case of the husband.

In respect of article 29:

The Egyptian delegation also maintains the reservation contained in article 29, paragraph 2, concerning the right of a State signatory to the Convention to declare that it does not consider itself bound by paragraph 1 of that article concerning the submission to an arbitral body of any dispute which may arise between States concerning the interpretation or application of the Convention. This is in order to avoid being bound by the system of arbitration in this field.

Bezwaar door Duitsland, 10 juli 1985

The Federal Republic of Germany considers that the reservations made by Egypt regarding article 2, [...] and article 16, are incompatible with the object and purpose of the Convention (article 28, paragraph 2) and therefore objects to them. In relation to the Federal Republic of Germany, they may not be invoked in support of a legal practice which does not pay due regard to the legal status afforded to women and children in the Federal Republic of Germany in conformity with the above-mentioned articles of the Convention. This objection shall not preclude the entry into force of the Convention as between Egypt and the Federal Republic of Germany.

Bezwaar door Mexico, 16 juli 1986

The Government of the United Mexican States has studied the content of the reservations made by Egypt to articles [...] and 16 of the Convention and has concluded that they should be considered invalid in the light of article 28, paragraph 2, of the Convention, because they are incompatible with its object and purpose.

Indeed, these reservations, if implemented, would inevitably result in discrimination against women on the basis of sex, which is contrary to all the articles of the Convention. The principles of equal rights of men and women and non-discrimination on the basis of sex, which are embodied in the second preambular paragraph and Article 1, paragraph 3, of the Charter of the United Nations, to which Egypt is a signatory, and in articles 2 and 16 of the Universal Declaration of Human Rights of 1948, were previously accepted by the Government of Egypt when it ratified [...] the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. The above principles were stated in article 2, paragraph 1, and article 3 of the former Covenant and in article 2, paragraph 2, and article 3 of the latter. Consequently, it is inconsistent with these contractual obligations previously assumed by Egypt for its Government now to claim that it has reservations, on the same subject, about the 1979 Convention.

The objection of the Government of the United Mexican States to the reservations in question should not be interpreted as an impediment to the entry into force of the 1979 Convention between the United Mexican States and Egypt.

Bezwaar door **Nederlanden, het Koninkrijk der**, 23 juli 1991
The Government of the Kingdom of the Netherlands considers that the reservations made by Egypt regarding article 2, [...] and article 16, are incompatible with the object and purpose of the Convention (article 28, paragraph 2).

These objections shall not preclude the entry into force of the Convention as between Egypt and the Kingdom of the Netherlands.

Bezwaar door Zweden, 17 maart 1986

The Government of Sweden considers that the reservations regarding article 2, [...] and article 16 are incompatible with the object and purpose of the Convention (article 28, paragraph 2) and therefore objects to them.

In this context the Government of Sweden wishes to take this opportunity to make the observation that the reason why reservations incompatible with the object and purpose of a treaty are not acceptable is precisely that otherwise they would render a basic international obligation of a contractual nature meaningless. Incompatible reservations, made in respect of the Convention on the elimination of all forms of discrimination against women, do not only cast doubts on the commitments of the reserving states to the objects and purpose of this Convention, but moreover, contribute to undermine the basis of international contractual law. It is in the common interest of states that treaties to which they

have chosen to become parties also are respected, as to object and purpose, by other parties.

El Salvador, 19 augustus 1981

With reservation as to the application of the provision of article 29, paragraph 1.

Ethiopië, 10 september 1981

Socialist Ethiopia does not consider itself bound by paragraph 1 of article 29 of the Convention.

Frankrijk, 17 juli 1980

The Government of the French Republic declares that article 9 of the Convention must not be interpreted as precluding the application of the second paragraph of article 96 of the code of French nationality.

Frankrijk, 14 december 1983

The Government of the French Republic declares that the preamble to the Convention in particular the eleventh preambular paragraph contains debatable elements which are definitely out of place in this text.

The Government of the French Republic declares that the term “family education” in article 5 (b) of the Convention must be interpreted as meaning public education concerning the family and that, in any event, article 5 will be applied subject to respect for article 17 of the International Covenant on Civil and Political Rights and article 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.

The Government of the French Republic declares that no provision of the Convention must be interpreted as prevailing over provisions of French legislation which are more favourable to women than to men.

[...]

Article 29

The Government of the French Republic declares, in pursuance of article 29, paragraph 2, of the Convention, that it will not be bound by the provisions of article 29, paragraph 1.

Guinee, 17 juli 1980

The People’s Revolutionary Republic of Guinea wishes to sign the Convention [...] with the understanding that this procedure annuls the procedure of accession previously followed by Guinea with respect to the Convention.

Ierland, 23 december 1985

[...]

Articles 16, 1 (d) and (f)

Ireland is of the view that the attainment in Ireland of the objectives of the Convention does not necessitate the extension to men of rights iden-

tical to those accorded by law to women in respect of the guardianship, adoption and custody of children born out of wedlock and reserves the right to implement the Convention subject to that understanding.

Articles 11 (1) and 13 (a)

Ireland reserves the right to regard the Anti-Discrimination (Pay) Act, 1974 and the Employment Equality Act 1977 and other measures taken in implementation of the European Economic Community standards concerning employment opportunities and pay as sufficient implementation of articles 11,1 (b), (c) and (d).

Ireland reserves the right for the time being to maintain provisions of Irish legislation in the area of social security which are more favourable to women than men.

India, 9 juli 1993

- i) With regard to articles 5 (a) and 16 (1) of the Convention on the Elimination of All Forms of Discrimination Against Women, the Government of the Republic of India declares that it shall abide by and ensure these provisions in conformity with its policy of non-interference in the personal affairs of any Community without its initiative and consent.
- ii) With regard to article 16 (2) of the Convention on the Elimination of All Forms of Discrimination Against Women, the Government of the Republic of India declares that though in principle it fully supports the principle of compulsory registration of marriages, it is not practical in a vast country like India with its variety of customs, religions and level of literacy.

With regard to article 29 of the Convention on the Elimination of All Forms of Discrimination Against Women, the Government of the Republic of India declares that it does not consider itself bound by paragraph 1 of this article.

Bezwaar door **Nederlanden, het Koninkrijk der**, 14 juli 1994

The Government of the Kingdom of the Netherlands considers that the declarations made by India regarding article 5 (a) and article 16, paragraph 1, of the Convention are reservations incompatible with the object and purpose of the Convention (article 28, paragraph 2).

The Government of the Kingdom of the Netherlands considers that the declaration made by India regarding article 16, paragraph 2, of the Convention is a reservation incompatible with the object and purpose of the Convention (article 28, para. 2).

The Government of the Kingdom of the Netherlands objects to the above-mentioned declarations and reservations.

These objections shall not preclude the entry into force of the Convention as between India and the Kingdom of the Netherlands.

Indonesië, 13 september 1984

The Government of the Republic of Indonesia does not consider itself bound by the provisions of article 29, paragraph 1 of this Convention and takes the position that any dispute relating to the interpretation or application of the Convention may only be submitted to arbitration or to the International Court of Justice with the agreement of all the parties to the dispute.

Irak, 13 augustus 1986

1. Approval of and accession to this Convention shall not mean that the Republic of Iraq is bound by the provisions of article 2, paragraphs (f) and (g), [...] nor of article 16 of the Convention. The reservation to this last-mentioned article shall be without prejudice to the provisions of the Islamic Shariah according women rights equivalent to the rights of their spouses so as to ensure a just balance between them. Iraq also enters a reservation to article 29, paragraph 1, of this Convention with regard to the principle of international arbitration in connection with the interpretation or application of this Convention.

2. This approval in no way implies recognition of or entry into any relations with Israel.

Bezwaar door Israël, 12 december 1986

[...] In the view of the Government of the State of Israel, such declaration which is explicitly of a political character is incompatible with the purposes and objectives of the Convention and cannot in any way affect whatever obligations are binding upon Iraq under general international law or under particular conventions.

The Government of the State of Israel will, in so far as concerns the substance of the matter, adopt towards Iraq an attitude of complete reciprocity.

Bezwaar door Mexico, 4 december 1986

The Government of the United Mexican States has studied the content of the reservations made by Iraq to article 2, paragraphs (f) and (g), article 9, paragraphs 1 and 2 and article 16, of the Convention and has concluded that they should be considered invalid in the light of article 28, paragraph 2, of the Convention, because they are incompatible with its object and purpose.

Indeed, these reservations, if implemented, would inevitably result in discrimination against women on the basis of sex, which is contrary to all the articles of the Convention. The principles of equal rights of men and women and non-discrimination on the basis of sex, which are embodied in the second preambular paragraph and Article 1, paragraph 3, of the Charter of the United Nations, to which Iraq is a signatory, and in articles 2 and 16 of the Universal Declaration of Human Rights of 1948, were previ-

ously accepted by the Government of Iraq when it ratified, [...] the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. The above principles were stated in article 2, paragraph 1, and article 3 of the former Covenant and in article 2, paragraph 2, and article 3 of the latter. Consequently, it is inconsistent with these contractual obligations previously assumed by Iraq for its Government now to claim that it has reservations, on the same subject, about the 1979 Convention.

The objection of the Government of the United Mexican States to the reservations in question should not be interpreted as an impediment to the entry into force of the 1979 Convention between the United Mexican States and Iraq.

Bezwaar door Nederlanden, het Koninkrijk der, 23 juli 1991

The Government of the Kingdom of the Netherlands considers that the reservations made by Iraq regarding article 2, subparagraphs (f) and (g), article 9 and article 16, are incompatible with the object and purpose of the Convention (article 28, paragraph 2).

These objections shall not preclude the entry into force of the Convention as between Iraq and the Kingdom of the Netherlands.

Bezwaar door Zweden, 12 maart 1987

The Government of Sweden considers that the reservations regarding article 2, paragraph (f) and (g), article 9, paragraph 1, and article 16 are incompatible with the object and purpose of the Convention (article 28, paragraph 2) and therefore objects to them.

In this context the Government of Sweden wishes to take this opportunity to make the observation that the reason why reservations incompatible with the object and purpose of a treaty are not acceptable is precisely that otherwise they would render a basic international obligation of a contractual nature meaningless. Incompatible reservations, made in respect of the Convention on the elimination of all forms of discrimination against women, do not only cast doubts on the commitments of the reserving states to the objects and purpose of this Convention, but moreover, contribute to undermine the basis of international contractual law. It is in the common interest of states that treaties to which they have chosen to become parties also are respected, as to object and purpose, by other parties.

Israël, 3 oktober 1991

1. The State of Israel hereby expresses its reservation with regard to article 7 (b) of the Convention concerning the appointment of women to serve as judges of religious courts where this is prohibited by the laws

of any of the religious communities in Israel. Otherwise, the said article is fully implemented in Israel, in view of the fact that women take a prominent part in all aspect of public life.

2. The State of Israel hereby expresses its reservation with regard to article 16 of the Convention, to the extent that the laws on personal status which are binding on the various religious communities in Israel do not conform with the provisions of that article.

3. In accordance with paragraph 2 of article 29 of the Convention, the State of Israel hereby declares that it does not consider itself bound by paragraph 1 of that article.

Italië, 17 juli 1980

Italy reserves the right to exercise, when depositing the instrument of ratification, the option provided for in article 19 of the Vienna Convention on the Law of Treaties of 23 May 1969.

Jamaica, 19 oktober 1984

[...]

The Government of Jamaica declares that it does not consider itself bound by the provisions of article 29, paragraph 1, of the Convention.

Jemen, 30 mei 1984

The Government of the People's Democratic Republic of Yemen declares that it does not consider itself bound by article 29, paragraph 1, of the said Convention, relating to the settlement of disputes which may arise concerning the application or interpretation of the Convention.

Jordanië, 1 juli 1992

Declaration made upon signature and confirmed upon ratification:

Jordan does not consider itself bound by the following provisions:

1. Article 9, paragraph 2;

2. [...]

3. Article 16, paragraph (1) (c), relating to the rights arising upon the dissolution of marriage with regard to maintenance and compensation;

4. Article 16, paragraph (1) (d) and (g).

Bezwaar door Zweden, 5 februari 1993

The Government of Sweden considers that the reservations in respect of article 9, paragraph 2, article 15, paragraph 4, the wording of article 16 (c), and article 16 (d) and (g) are incompatible with the object and purpose of the Convention (article 28, paragraph 2) and therefore objects to them.

In this context the Government of Sweden wishes to take this opportunity to make the observation that the reason why reservations incompatible with the object and purpose of a treaty are not acceptable is precisely that otherwise they would render a basic international obligation of a contractual nature meaningless. In-

compatible reservations, made in respect of the Convention on the elimination of all forms of discrimination against women, do not only cast doubts on the commitments of the reserving states to the objects and purpose of this Convention, but moreover, contribute to undermine the basis of international contractual law. It is in the common interest of states that treaties to which they have chosen to become parties also are respected, as to object and purpose, by other parties.

Koeweit, 2 september 1994

1. [...]

2. Article 9, paragraph 2

The Government of Kuwait reserves its right not to implement the provision contained in article 9, paragraph 2, of the Convention, inasmuch as it runs counter to the Kuwaiti Nationality Act, which stipulates that a child's nationality shall be determined by that of his father.

3. Article 16 (f)

The Government of the State of Kuwait declares that it does not consider itself bound by the provision contained in article 16 (f) inasmuch as it conflicts with the provisions of the Islamic Shariah, Islam being the official religion of the State.

4. The Government of Kuwait declares that it is not bound by the provision contained in article 29, paragraph 1.

Bezwaar door België, 19 januari 1996

The Government of the Kingdom of Belgium notified the Secretary-General that it considers the reservations made by the Government of Kuwait concerning [...] and article 16 (f) as "incompatible with the object and purpose of the said Convention and, therefore, as prohibited by virtue of its article 28 paragraph 2".

Bezwaar door Denemarken, 12 februari 1997

The Government of Denmark finds that the said reservations are covering central provisions of the Convention. Furthermore it is a general principle of international law that internal law may not be invoked as justification for failure to perform treaty obligations. The Government of Denmark finds that the reservations are incompatible with the object and purpose of the Convention and accordingly inadmissible and without effect under international law. Consequently, the Government of Denmark objects to these reservations.

It is the opinion of the Government of Denmark that no time limit applies to objections against reservations, which are inadmissible under international law.

The Convention remains in force in its entirety between Kuwait and Denmark.

The Government of Denmark recommends the Government of Kuwait to reconsider its reservations to the [said] Convention.

Bezwaar door Finland, 17 januari 1996

The Government of Finland recalls that by acceding to the Convention, a State commits itself to adopt the measures required for the elimination of discrimination, in all its forms and manifestations, against women.

[...]

Reservations to [...] and article 9 paragraph 2 are both subject to the general principle of the observance of treaties according to which a party may not invoke the provisions of its internal law as justification for its failure to perform its treaty obligations. It is in the common interest of States that contracting parties to international treaties are prepared to undertake the necessary legislative changes in order to fulfill the object and purpose of the treaty.

Furthermore, in the view of the Government of Finland, the unlimited and undefined character of the reservation to article 16 (f) leaves open to what extent the reserving State commits itself to the Convention and therefore creates serious doubts about the commitment of the reserving State to fulfil its obligations under the Convention. Reservations of such unspecified nature may contribute to undermining the basis of international human rights treaties.

In their present formulation the reservations are clearly incompatible with the object and purpose of the Convention and therefore inadmissible under article 28 paragraph 2, of the said Convention. Therefore, the Government of Finland objects to these reservations. The Government of Finland further notes that the reservations made by the Government of Kuwait are devoid of legal effect.

The Government of Finland recommends the Government of Kuwait to reconsider its reservations to the [said] Convention.

Bezwaar door **Nederlanden, het Koninkrijk der**, 16 januari 1996

The Government of the Kingdom of the Netherlands considers the reservations made by Kuwait incompatible with the object and purpose of the Convention (article 28, paragraph 2).

The Government of the Kingdom of the Netherlands therefore objects to the [said] reservations. These objections shall not preclude the entry into force of the Convention between Kuwait and the Kingdom of the Netherlands.

Bezwaar door Noorwegen, 2 mei 1995

In the view of the Government of Norway, a reservation by which a State party limits its responsibilities under the Convention by invoking general principles of internal law may create doubts about the commitments of the reserving State to the object and purpose of the Convention and, moreover, contribute to undermine the basis of international treaty law. It is in the common interest of States that treaties to which they have chosen to become parties also are respected, as to their object and purpose, by all parties. Furthermore, under well established international treaty law, a State is not permitted to invoke internal law as justification for its failure to perform its treaty obligations. For these reasons, the Government of Norway objects to Kuwait's reservations.

The Government of Norway does not consider this objection to constitute an obstacle to the entry into force of the above-stated Convention between the Kingdom of Norway and Kuwait.

Bezwaar door Oostenrijk, 22 februari 1996

The Government of Austria notified the Secretary-General that it considers the reservations made by the Government of Kuwait concerning [...] and article 16 (f) as "incompatible with the object and purpose of the said Convention and, therefore, as prohibited by virtue of its article 28 paragraph 2".

Bezwaar door Portugal, 15 mei 1996

The Government of Portugal notified the Secretary-General that it considers the reservations made by the Government of Kuwait concerning [...] and article 16 (f) as "incompatible with the object and purpose of the said Convention and, therefore, as prohibited by virtue of its article 28 paragraph 2".

Bezwaar door Zweden, 17 januari 1996

The Government of Sweden considers that the reservations made by Kuwait upon accession are incompatible with the object and purpose of the Convention (article 28, paragraph 2) and therefore objects to them.

Indeed the reservations in question, if put into practice, would inevitably result in discrimination against women on the basis of sex, which is contrary to everything the Convention stands for. It should also be borne in mind that the principles of the equal rights of men and women and of non-discrimination on the basis of sex are set forth in the Charter of the United Nations as one of its purposes, in the Universal Declaration of Human Rights of 1948 and in various multilateral instruments, to which Kuwait is a party.

[...]

In this context the Government of Sweden wishes to take this opportunity to make the observation that the reason why reservations incompatible with the object and purpose of a treaty are not acceptable is precisely that otherwise they would render a basic international obligation of a contractual nature meaningless. Incompatible reservations, made in respect of the Convention on the elimination of all forms of discrimination against women, do not only cast doubts on the commitments of the reserving states to the objects and purpose of this Convention, but moreover, contribute to undermine the basis of international contractual law. It is in the common interest of states that treaties to which they have chosen to become parties also are respected, as to object and purpose, by other parties.

Lesotho, 22 augustus 1995

The Government of the Kingdom of Lesotho declares that it does not consider itself bound by article 2 to the extent that it conflicts with Lesotho's constitutional stipulations relative to succession to the throne of the Kingdom of Lesotho and law relating to succession to chieftainship. [...]

Bezwaar door Denemarken, 12 februari 1997

The Government of Denmark finds that the said reservations are covering central provisions of the Convention. Furthermore it is a general principle of international law that internal law may not be invoked as justification for failure to perform treaty obligations. The Government of Denmark finds that the reservations are incompatible with the object and purpose of the Convention and accordingly inadmissible and without effect under international law. Consequently, the Government of Denmark objects to these reservations.

It is the opinion of the Government of Denmark that no time limit applies to objections against reservations, which are inadmissible under international law.

The Convention remains in force in its entirety between Lesotho and Denmark.

The Government of Denmark recommends the Government of Lesotho to reconsider its reservations to the [said] Convention.

Bezwaar door Finland, 1 november 1996

The reservations made by Lesotho, consisting of a general reference to religious and national law without specifying the contents thereof and without stating unequivocally the provisions the legal effect of which may be excluded or modified, do not clearly define to the other Parties of the Convention the extent to which the reserving State commits itself to the Convention and therefore creates serious doubts about the commitment of the reserving State to fulfill its obligations under the Convention. Reserva-

tions of such unspecified nature may contribute to undermining the basis of international human rights treaties.

The Government of Finland also recalls that the reservations of Lesotho are subject to the general principles of observance of treaties according to which a party may not invoke the provisions of its internal law as justification for failure to perform its treaty obligations. It is in the common interest of States that Parties to international treaties are prepared to take the necessary legislative changes in order to fulfil the object and purpose of the treaty. Furthermore, the reservations made by Lesotho, in particular to articles 2 (f) and 5 (a), are two fundamental provisions of the Convention the implementation of which is essential to fulfilling its object and purpose.

The Government of Finland considers that in their present formulation the reservations made by Lesotho are clearly incompatible with the object and purpose of the said Convention and therefore inadmissible under article 28, paragraph 2, of the said Convention. In view of the above, the Government of Finland objects to these reservations and notes that they are devoid of legal effect.

Bezwaar door **Nederlanden, het Koninkrijk der**, 1 november 1996

The Government of the Kingdom of the Netherlands considers [...] that such reservations, which seeks to limit the responsibilities of the reserving State under the Convention by invoking the general principles of national law and the Constitution, may raise doubts as to the commitment of this State to the object and purpose of the Convention and, moreover contribute to undermining the basis of international treaty law. It is in the common interest of States that treaties to which they have chosen to become parties should be respected, as to object and purpose, by all parties. The Government of the Kingdom of the Netherlands further considers that the reservations made by Lesotho regarding article 2 (f), article 5 (a), article 9 and article 16 of the Convention are incompatible with the object and purpose of the Convention.

The Government of the Kingdom of the Netherlands therefore objects to the above-mentioned reservations. This objection shall not preclude the entry into force of the Convention between the Kingdom of the Netherlands and Lesotho.

Bezwaar door Noorwegen, 30 oktober 1996

In the view of the Government of Norway, a reservation by which a State party limits its responsibilities under the Convention by invoking general principles of internal law may create doubts about the commitments of the reserving State to the object and purpose of the Convention and, moreover, contribute to

undermine the basis of international treaty law. It is in the common interest of States that treaties to which they have chosen to become parties also are respected, as to their object and purpose, by all parties. Furthermore, under well established international treaty law, a State is not permitted to invoke internal law as justification for its failure to perform its treaty obligations. For these reasons, the Government of Norway objects to the reservations of Lesotho.

The Government of Norway does not consider this objection to constitute an obstacle to the entry into force of the above-stated Convention between the Kingdom of Norway and Lesotho.

Libanon, 16 april 1997

The Government of the Lebanese Republic enters reservations regarding article 9 (2), and article 16 (1) (c) (d) (f) and (g) (regarding the right to choose a family name).

In accordance with paragraph 2 of article 29, the Government of the Lebanese Republic declares that it does not consider itself bound by the provisions of paragraph 1 of that article.

Bezwaar door Denemarken, 26 juni 1998

The Government of Denmark is of the view that the reservations made by the Government of Lebanon raise doubts as to the commitment of Lebanon to the object and purpose of the Convention and would recall that, according to article 28, paragraph 2 of the Convention, a reservation incompatible with the object and purpose of the present Convention shall not be permitted. For this reason, the Government of Denmark objects to the said reservations made by the Government of Lebanon.

The Government of Denmark recommends the Government of Lebanon to reconsider their reservations to [the Covenant].

Bezwaar door **Nederlanden, het Koninkrijk der**, 15 mei 1998

The Government of the Kingdom of the Netherlands considers the reservations made by Lebanon incompatible with the object and purpose of the Convention (article 28, paragraph 2).

The Government of the Kingdom of the Netherlands therefore objects to the [said] reservations. These objections shall not preclude the entry into force of the Convention between Lebanon and the Kingdom of the Netherlands.

Bezwaar door Oostenrijk, 20 februari 1998

Austria is of the view that a reservation by which a State limits its responsibilities under the Convention in a general and unspecified manner by invoking internal law creates doubts as to the commitment of Lebanon with its obligations under the Convention, essential for the fulfillment of its object and purpose.

It is in the common interests 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.

Austria is further of the view that a general reservation of the kind made by the Government of Lebanon, which does not clearly specify the provisions of the Convention to which it applies and the extent of the derogation therefrom, contributes to undermining the basis of international treaty law.

Given the general character of this reservation a final assessment as to its admissibility under international law cannot be made without further clarification.

According to international law a reservation is inadmissible to the extent as its application negatively affects the compliance by a State with its obligations under the Convention essential for the fulfillment of its object and purpose.

Therefore, Austria cannot consider the reservation made by the Government of Lebanon as admissible unless the Government of Lebanon, by providing additional information or through subsequent practice, ensures that the reservation is compatible with the provisions essential for the implementation of the object and purpose of the Convention.

This view by Austria would not preclude the entry into force in its entirety of the Convention between Lebanon and Austria.

Bezwaar door Zweden, 27 januari 1998

The Government of Sweden considers that the reservations made by Lebanon upon accession are incompatible with the object and purpose of the Convention (article 28, paragraph 2) and therefore objects to them.

In this context the Government of Sweden wishes to take this opportunity to make the observation that the reason why reservations incompatible with the object and purpose of a treaty are not acceptable is precisely that otherwise they would render a basic international obligation of a contractual nature meaningless. Incompatible reservations, made in respect of the Convention on the elimination of all forms of discrimination against women, do not only cast doubts on the commitments of the reserving states to the objects and purpose of this Convention, but moreover, contribute to undermine the basis of international contractual law. It is in the common interest of states that treaties to which they have chosen to become parties also are respected, as to object and purpose, by other parties.

Libië, 16 mei 1989

1. Article 2 of the Convention shall be implemented with due regard for the peremptory norms of the Islamic Shariah relating to determination of the inheritance portions of the estate of a deceased person, whether female or male.
2. The implementation of paragraph 16 (c) and (d) of the Convention shall be without prejudice to any of the rights guaranteed to women by the Islamic Shariah.

Bezwaar door Denemarken, 3 juli 1990

The Government of Denmark has taken note of the reservation made by the Libyan Arab Jamahiriya when acceding [to the said Convention]. In the view of the Government of Denmark this reservation is subject to the general principle of treaty interpretation according to which a party may not invoke the provisions of its internal law as justification for failure to perform a treaty.

Bezwaar door Duitsland, 20 juni 1990

In respect of the reservation made by the Libyan Arab Jamahiriya, the Federal Republic of Germany also holds the view that the reservation made by the Libyan Arab Jamahiriya regarding article 7 of the Convention is likewise incompatible with the object and purpose of the Convention because for all matters which concern national security it reserves in a general and thus unspecific manner the right of the Government of Libya to apply the provisions only within the limits established by national laws, regulations and practices.

Bezwaar door Finland, 8 juni 1990

With regard to the reservation made by the Libyan Arab Jamahiriya upon accession (see also objection made on 16 October 1996, hereinafter, with regard to the reservation made by the Libyan Arab Jamahiriya upon accession, as modified on 5 July 1995):

The Government of Finland has examined the contents of the reservation made by the Libyan Arab Jamahiriya and considers the said reservation as being incompatible with the object and purpose of the Convention. The Government of Finland therefore enters its formal objection to this reservation.

This objection is not an obstacle to the entry into force of the said Convention between Finland and the Libyan Arab Jamahiriya.

Bezwaar door Finland, 16 oktober 1996

A reservation which consists of a general reference to religious law without specifying its contents does not clearly define to the other Parties of the Convention the extent to which the reserving State commits itself to the Convention and therefore may cast

doubts about the commitment of the reserving State to fulfil its obligations under the Convention. Such a reservation is also, in the view of the Government of Finland, subject to the general principle of the observance of treaties according to which a Party may not invoke the provisions of its internal law as justification for failure to perform a treaty.

Bezwaar door Mexico, 23 juli 1990

The Government of the United Mexican States has studied the content of the reservations made by the Libyan Arab Jamahiriya to the Convention and has concluded that they should be considered invalid in the light of article 28, paragraph 2, of the Convention, because they are incompatible with its object and purpose.

Indeed, these reservations, if implemented, would inevitably result in discrimination against women on the basis of sex, which is contrary to all the articles of the Convention. The principles of equal rights of men and women and non-discrimination on the basis of sex, which are embodied in the second preambular paragraph and Article 1, paragraph 3, of the Charter of the United Nations, to which Libyan Arab Jamahiriya is a signatory, and in articles 2 and 16 of the Universal Declaration of Human Rights of 1948, were previously accepted by the Government of Libyan Arab Jamahiriya when it acceded [...] to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. The above principles were stated in article 2, paragraph 1, and article 3 of the former Covenant and in article 2, paragraph 2, and article 3 of the latter. Consequently, it is inconsistent with these contractual obligations previously assumed by Libyan Arab Jamahiriya for its Government now to claim that it has reservations, on the same subject, about the 1979 Convention.

The objection of the Government of the United Mexican States to the reservations in question should not be interpreted as an impediment to the entry into force of the 1979 Convention between the United Mexican States and the Libyan Arab Jamahiriya.

Bezwaar door **Nederlanden, het Koninkrijk der**, 23 juli 1991

The Government of the Kingdom of the Netherlands considers that the reservations made by the Libyan Arab Jamahiriya upon accession, are incompatible with the object and purpose of the Convention (article 28, paragraph 2).

These objections shall not preclude the entry into force of the Convention as between Libyan Arab Jamahiriya and the Kingdom of the Netherlands.

Bezwaar door Noorwegen, 16 juli 1990

The Government of Norway has examined the contents of the reservation made by the Libyan Arab Jamahiriya, by which the accession "is subject to the general reservation that such accession cannot conflict with the laws on personal status derived from the Islamic Shariah". The Norwegian Government has come to the conclusion that this reservation is incompatible with the object and purpose of the Convention (article 28, paragraph 2). The Government of Norway objects to the reservation.

The Norwegian Government will stress that by acceding to the Convention, a state commits itself to adopt the measures required for the elimination of discrimination, in all its forms and manifestations, against women. A reservation by which a State Party limits its responsibilities under the Convention by invoking religious law (Shariah), which is subject to interpretation, modification, and selective application in different states adhering to Islamic principles, may create doubts about the commitments of the reserving state to the object and purpose of the Convention. It may also undermine the basis of international treaty law. All states have common interest in securing that all parties respect treaties to which they have chosen to become parties.

Bezwaar door Zweden, 25 mei 1990

The Government of Sweden considers that the reservations regarding article 2 and article 16, paragraph (c) and (d) are incompatible with the object and purpose of the Convention (article 28, paragraph 2) and therefore objects to them.

In this context the Government of Sweden wishes to take this opportunity to make the observation that the reason why reservations incompatible with the object and purpose of a treaty are not acceptable is precisely that otherwise they would render a basic international obligation of a contractual nature meaningless. Incompatible reservations, made in respect of the Convention on the elimination of all forms of discrimination against women, do not only cast doubts on the commitments of the reserving states to the objects and purpose of this Convention, but moreover, contribute to undermine the basis of international contractual law. It is in the common interest of states that treaties to which they have chosen to become parties also are respected, as to object and purpose, by other parties.

Liechtenstein, 22 december 1995

Reservation concerning article 1

In the light of the definition given in article 1 of the Convention, the Principality of Liechtenstein reserves the right to apply, with respect to all the obligations of the Convention, article 3 of the Liechtenstein Constitution.

[...]

Malediven, 23 juni 1999

1. [...]

2. The Government of the Republic of Maldives reserves its right to apply article 16 of the Convention concerning the equality of men and women in all matters relating to marriage and family relations without prejudice to the provisions of the Islamic Sharia, which govern all marital and family relations of the 100 percent Muslim population of the Maldives.

Bezwaar door Duitsland, 16 augustus 1999

The modification does not constitute a withdrawal or a partial withdrawal of the original reservations to the Convention by the Republic of the Maldives. Instead the modification constitutes a new reservation to articles [...] and 16 (elimination of discrimination against women in all matters relating to marriage and family relations) of the Convention extending and reinforcing the original reservations.

The Government of the Federal Republic of Germany notes that reservations to treaties can only be made by a State when signing, ratifying, accepting, approving or acceding to a treaty (article 19 of the Vienna Convention on the Law of Treaties). After a State has bound itself to a treaty under international law it can no longer submit new reservations or extend or add to old reservations. It is only possible to totally or partially withdraw original reservations, something unfortunately not done by the Government of the Republic of the Maldives with its modification.

The Government of the Federal Republic of Germany objects to the modification of the reservations.

Bezwaar door Finland, 17 augustus 1999

The Government of Finland objected in 1994 to the reservations made by the Government of Maldives upon accession to the Convention on the Elimination of All Forms of Discrimination against Women. The Government of Finland has now examined the contents of the modified reservation made by the Government of the Republic of Maldives to the said Convention.

The Government of Finland welcomes with satisfaction that the Government of the Republic of Maldives has specified the reservations made at the time of its accession to the Convention. However, the reservations to [...] and Article 16 still include elements which are objectionable. The Government of Finland therefore wishes to declare that it assumes that the Government of the Republic of Maldives will ensure the implementation of the rights recognised in the Convention and will do its utmost to bring its national legislation into compliance with obligations

under the Convention with a view to withdrawing the reservation. This declaration does not preclude the entry into force of the Convention between the Maldives and Finland.

Maleisië, 5 juli 1995

The Government of Malaysia declares that Malaysia's accession is subject to the understanding that the provisions of the Convention do not conflict with the provisions of the Islamic Sharia' law and the Federal Constitution of Malaysia. With regard thereto, further, the Government of Malaysia does not consider itself bound by the provisions of articles [...], 9 and 16 of the aforesaid Convention.

Bezwaar door Denemarken, 12 februari 1997

The Government of Denmark finds that the said reservations are covering central provisions of the Convention. Furthermore it is a general principle of international law that internal law may not be invoked as justification for failure to perform treaty obligations. The Government of Denmark finds that the reservations are incompatible with the object and purpose of the Convention and accordingly inadmissible and without effect under international law. Consequently, the Government of Denmark objects to these reservations.

It is the opinion of the Government of Denmark that no time limit applies to objections against reservations, which are inadmissible under international law.

The Convention remains in force in its entirety between Malaysia and Denmark.

The Government of Denmark recommends the Government of Malaysia to reconsider its reservations to the [said] Convention.

Bezwaar door Finland, 16 oktober 1996

The reservations made by Malaysia, consisting of a general reference to religious and national law without specifying the contents thereof and without stating unequivocally the provisions the legal effect of which may be excluded or modified, do not clearly define to the other Parties of the Convention the extent to which the reserving State commits itself to the Convention and therefore creates serious doubts about the commitment of the reserving State to fulfill its obligations under the Convention. Reservations of such unspecified nature may contribute to undermining the basis of international human rights treaties.

The Government of Finland also recalls that the reservations of Malaysia are subject to the general principles of observance of treaties according to which a party may not invoke the provisions of its internal law as justification for failure to perform its treaty obligations. It is in the common interest of States that Parties to

international treaties are prepared to take the necessary legislative changes in order to fulfil the object and purpose of the treaty. [...]

The Government of Finland considers that in their present formulation the reservations made by Malaysia are clearly incompatible with the object and purpose of the said Convention and therefore inadmissible under article 28, paragraph 2, of the said Convention. In view of the above, the Government of Finland objects to these reservations and notes that they are devoid of legal effect.

Bezwaar door Frankrijk, 20 juli 1998

France considers that the reservation made by Malaysia, as expressed in the partial withdrawal and modifications made by Malaysia on 6 February 1998, is incompatible with the object and purpose of the Convention. France therefore object to the [reservation].

This objection shall not otherwise affect the entry into force of the Convention between France and Malaysia.

Consequently, the modification in question is not accepted, the Government of France having objected thereto.

Bezwaar door **Nederlanden, het Koninkrijk der**, 15 oktober 1996

The Government of the Kingdom of the Netherlands considers [...] that such reservations, which seeks to limit the responsibilities of the reserving State under the Convention by invoking the general principles of national law and the Constitution, may raise doubts as to the commitment of this State to the object and purpose of the Convention and, moreover contribute to undermining the basis of international treaty law. It is in the common interest of States that treaties to which they have chosen to become parties should be respected, as to object and purpose, by all parties. The Government of the Kingdom of the Netherlands further considers that the reservations made by Malaysia regarding [...], article 9 and article 16 of the Convention are incompatible with the object and purpose of the Convention.

The Government of the Kingdom of the Netherlands therefore objects to the above-mentioned reservations. This objection shall not preclude the entry into force of the Convention between the Kingdom of the Netherlands and Malaysia.

Bezwaar door **Nederlanden, het Koninkrijk der**, 21 juli 1998

The Government of the Kingdom of the Netherlands acknowledges that Malaysia has specified these reservations, made at the time of its accession to the Convention. Nevertheless the Government of the Kingdom of the Netherlands wishes to declare that

it assumes that Malaysia will ensure implementation of the rights enshrined in the above articles and will strive to bring its relevant national legislation into conformity with the obligations imposed by the Convention. This declaration shall not preclude the entry into force of the Convention between the Kingdom of the Netherlands and Malaysia.

Bezwaar door Noorwegen, 16 oktober 1996

In the view of the Government of Norway, a statement by which a State Party purports to limit its responsibilities under the Convention by invoking general principles of internal or religious law may create doubts about the commitment of the reserving State to the object and purpose of the Convention and, moreover, contribute to undermining the basis of international treaty law. Under well-established international treaty law, a State is not permitted to invoke internal law as justification for its failure to perform its treaty obligations. Furthermore, the Government of Norway considers that reservation made by the Government of Malaysia with respect to certain specific provisions of the Convention is so extensive as to be contrary to the object and purpose of the Convention, and thus not permitted under article 28, paragraph 2, of the Convention. For these reasons, the Government of Norway objects to the reservations made by the Government of Malaysia.

The Government of Norway does not consider this objection to preclude the entry into force of the Convention between the Kingdom of Norway and Malaysia.

Bezwaar door Zweden, 25 oktober 1996

The Government of Sweden considers that the reservations are incompatible with the object and purpose of the Convention (article 28, paragraph 2) and therefore objects to them.

Maleisië, 19 juli 2010

[...], the remaining reservations and declaration will now read as follows: The Government of Malaysia declares that Malaysia's accession is subject to the understanding that the provisions of the Convention do not conflict with the provisions of the Islamic Sharia' law and the Federal Constitution of Malaysia. With regard thereto, further, the Government of Malaysia does not consider itself bound by the provisions of articles 9 (2), 16 (1) (a), 16 (1) (c), 16 (1) (f) and 16 (1) (g) of the aforesaid Convention.

In relation to article 11 of the Convention, Malaysia interprets the provisions of this article as a reference to the prohibition of discrimination on the basis of equality between men and women only.

Bezwaar door Oostenrijk, 24 juni 2011

The Government of Austria has examined the modification of the reservations made by Malaysia to the Convention on the Elimination of All Forms of Discrimination against Women as notified on 19 July 2010.

In the view of Austria a reservation should clearly define for the other States Parties to the Convention the extent to which the reserving State has accepted the obligations of the Convention. A reservation which consists of a general reference to constitutional provisions and Islamic Sharia law without specifying its implications does not do so. The Government of Austria therefore objects to this general reservation.

The Government of Austria further finds that the reservations to articles 9 (2), 16 (1) a, 16 (1) f and 16 (1) g, if put into practice, would inevitably result in discrimination against women on the basis of sex. This is contrary to the object and purpose of the Convention. The Government of Austria therefore objects to these reservations.

This position, however, does not affect the application of the Convention in its entirety between Austria and Malaysia.

Malta, 8 maart 1991

A. Article 11

The Government of Malta interprets paragraph 1 of article II, in the light of provisions of paragraph 2 of article 4, as not precluding prohibitions, restrictions, or conditions on the employment of women in certain areas, or the work done by them, where this is considered necessary or desirable to protect the health and safety of women or the human foetus, including such prohibitions, restrictions or conditions imposed in consequence of other international obligations of Malta.

B. Article 13

- (i) The Government of Malta reserves the right, notwithstanding anything in the Convention, to continue to apply its tax legislation which deems, in certain circumstances, the income of a married woman to be the income of her husband and taxable as such.
- (ii) The Government of Malta reserves the right to continue to apply its social security legislation which in certain circumstances makes certain benefits payable to the head of the household which is, by such legislation, presumed to be the husband.

C. Articles 13, 15, 16

While the Government of Malta is committed to remove, in as far as possible, all aspects of family and property law which may be considered as discriminatory to females, it reserves the right to continue to apply present legislation in that regard until such time as the law is reformed and during such transitory period until those laws are completely superseded.

D. Article 16

The Government of Malta does not consider itself bound by subparagraph (e) of paragraph (1) of article 16 in so far as the same may be interpreted as imposing an obligation on Malta to legalize abortion.

Marokko, 21 juni 1993

1. With regard to article 2:

The Government of the Kingdom of Morocco express its readiness to apply the provisions of this article provided that:

- They are without prejudice to the constitutional requirement that regulate the rules of succession to the throne of the Kingdom of Morocco;
- They do not conflict with the provisions of the Islamic Shariah. It should be noted that certain of the provisions contained in the Moroccan Code of Personal Status according women rights that differ from the rights conferred on men may not be infringed upon or abrogated because they derive primarily from the Islamic Shariah, which strives, among its other objectives, to strike a balance between the spouses in order to preserve the coherence of family life.

2. With regard to article 15, paragraph 4:

The Government of the Kingdom of Morocco declares that it can only be bound by the provisions of this paragraph, in particular those relating to the right of women to choose their residence and domicile, to the extent that they are not incompatible with articles 34 and 36 of the Moroccan Code of Personal Status.

Reservation:

[...]

3. With regard to article 29:

The Government of the Kingdom of Morocco does not consider itself bound by the first paragraph of this article, which provides that any dispute between two or more States Parties concerning the interpretation or application of the present Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration.

The Government of the Kingdom of Morocco is of the view that any dispute of this kind can only be referred to arbitration by agreement of all the parties to the dispute.

Bezwaar door **Nederlanden, het Koninkrijk der**, 14 juli 1994

The Government of the Kingdom of the Netherlands considers that the declaration made by Morocco expressing the readiness of Morocco to apply the provisions of article 2 provided that they do not conflict with the provisions of the Islamic Shariah, is a reservation incompatible with the object and purpose of the Convention (article 28, paragraph 2).

The Government of the Kingdom of the Netherlands considers that the declaration made by Morocco regarding article 15, paragraph 4, of the Convention is a reservation incompatible with the object and purpose of the Convention (article 28, paragraph 2).

[...]

The Government of the Kingdom of the Netherlands objects to the above-mentioned declarations and reservations.

These objections shall not preclude the entry into force of the Convention as between Morocco and the Kingdom of the Netherlands.

Mauritanië, 10 mei 2001

Having seen and examined the United Nations Convention on the Elimination of All Forms of Discrimination against Women, adopted by the United Nations General Assembly on 18 December 1979, have approved and do approve it in each and every one of its parts which are not contrary to Islamic Sharia and are in accordance with our Constitution.

Bezwaar door Denemarken, 21 februari 2002

The Government of Denmark has examined the reservations made by the Government of Mauritania upon accession to the Convention on the Elimination of All Forms of Discrimination Against Women as to any interpretation of the provisions of the Convention that is incompatible with the norms of Islamic law and the Constitution in Mauritania.

The Government of Denmark finds that the general reservation with reference to the provisions of Islamic law and the Constitution are of unlimited scope and undefined character. Consequently, the Government of Denmark considers the said reservation as being incompatible with the object and purpose of the Convention and accordingly inadmissible and without effect under international law.

The Government of Denmark therefore objects to the aforesaid reservation made by the Government of Mauritania to the Convention on the Elimination of all Forms of Discrimination against Women.

This shall not preclude the entry into force of the Convention in its entirety between Mauritania and Denmark.

The Government of Denmark recommends the Government of Mauritania to reconsider its reservations to the Convention on the Elimination of All Forms of Discrimination against Women.

Bezwaar door Duitsland, 14 maart 2002

The Government of the Federal Republic of Germany has examined the reservation to the Convention on the Elimination of all Forms of Discrimination against Women made by the Government of Mauritania at the time of its accession to the Convention. The Government of the Federal Republic of Germany is of the view that the reservation with regard to the compatibility of the rules of the Convention with the precepts of Islamic Sharia and the Constitution of Mauritania raises doubts as to the com-

mitment of Mauritania to fulfil its obligations under the Convention. The Government of the Federal Republic of Germany considers this reservation to be incompatible with the object and purpose of the Convention. Therefore the Government of the Federal Republic of Germany objects to the aforesaid reservation made by the Government of Mauritania to the Convention. This objection does not preclude the entry into force of the Convention between the Federal Republic of Germany and Mauritania.

Bezwaar door Finland, 20 mei 2002

The Government of Finland has carefully examined the contents of the reservation made by the Government of Mauritania to the Convention on the Elimination of all Forms of Discrimination Against Women.

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 therefore creates serious doubts as to the commitment of the reserving State to fulfil its obligations under the Convention.

Furthermore, reservations are 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 recalls Part VI, Article 28 of the Convention according to which reservations incompatible with the object and purpose of the Convention are not permitted.

The Government of Finland therefore objects to the above-mentioned reservation made by the Government of Mauritania to the Convention.

This objection does not preclude the entry into force of the Convention between Mauritania and Finland. The Convention will thus become operative between the two states without Mauritania benefiting from the reservations.

Bezwaar door Frankrijk, 17 juni 2002

The Government of the French Republic has examined the reservation made by the Government of Mauritania upon accession to the Convention of 18 December 1979 on the Elimination of All Forms of Discrimination against Women. By stating that it approves the Convention in each and every one of its parts which are not contrary to Islamic Sharia and to its Constitution, the Government of Mauritania formulates a reservation of general, indeterminate scope that gives the other States parties no idea which provisions of the Convention are currently affected by the

reservation or might be affected in future. The Government of the French Republic considers that the reservation could make the provisions of the Convention ineffective and objects to it.

Bezwaar door Ierland, 13 juni 2002

The Government of Ireland [has] examined the reservation made by Mauritania upon its accession to the Convention on the Elimination of All Forms of Racial Discrimination against Women.

The Government of Ireland [is] of the view that a reservation which consists of a general reference to religious law and to the Constitution of the reserving State and which does not clearly specify the provisions of the Convention to which it applies and the extent of the derogation therefrom, may cast doubts on the commitment of the reserving State to fulfil its obligations under the Convention. The Government of Ireland [is] furthermore of the view that such a general reservation may undermine the basis of international treaty law.

The Government of Ireland [recalls] that article 28, paragraph 2 of the Convention provides that a reservation incompatible with the object and purpose of the Convention shall not be permitted. The Government of Ireland therefore [objects] to the reservation made by Mauritania to the Convention on the Elimination of All Forms of Discrimination against Women.

This objection shall not preclude the entry into force of the Convention between Ireland and Mauritania.

Bezwaar door **Nederlanden, het Koninkrijk der**, 8 februari 2002

The Government of the Kingdom of the Netherlands has examined the reservation made by the Government of Mauritania at the time of its accession to the Convention on the Elimination of All Forms of Discrimination against Women and considers that the reservation concerning the Islamic Sharia and the national law of Mauritania, which seeks to limit the responsibilities of the reserving State under the Convention by invoking the Sharia and national law, may raise doubts as to the commitment of this State to the object and purpose of the Convention and, moreover, contribute to undermining the basis of international treaty law. The Government of the Kingdom of the Netherlands recalls that, according to paragraph 2 of Article 28 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

It is in the common interest of States that treaties to which they have chosen to become party 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 the Kingdom of the

Netherlands therefore objects to the aforesaid reservation made by the Government of Mauritania to the Convention on the Elimination of All Forms of Discrimination against Women. This objection shall not preclude the entry into force of the Convention between the Kingdom of the Netherlands and Mauritania.

Bezwaar door Noorwegen, 31 mei 2002

The Government of Norway has examined the contents of the reservation made by the Government of Mauritania upon accession to the Convention on the Elimination of all Forms of Discrimination against Women.

The reservation consists of a general reference to national law and does not clearly define to what extent Mauritania has accepted the obligations under the Convention. The Government of Norway therefore objects to the reservation, as it is contrary to the object and purpose of the Convention and thus impermissible according to Article 28 of the Convention.

This objection does not preclude the entry into force in its entirety of the Convention between the Kingdom of Norway and Mauritania. The Convention thus becomes operative between Norway and Mauritania without Mauritania benefiting from the reservation.

Bezwaar door Oostenrijk, 13 februari 2002

The Government of Austria has examined the reservation to the Convention on the Elimination of all Forms of Discrimination against Women made by the Government of the Islamic Republic of Mauritania in its note to the Secretary-General of 5 June 2001.

The Government of Austria considers that, in the absence of further clarification, this reservation raises doubts as to the degree of commitment assumed by Mauritania in becoming a party to the Convention since it refers to the contents of Islamic Sharia and to existing national legislation in Mauritania. The Government of Austria would like to recall that, according to art. 28 (2) of the Convention as well as customary international law as codified in the Vienna Convention on the Law of Treaties, a reservation 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.

For these reasons, the Government of Austria objects to this reservation made by the Government of Mauritania.

This position, however, does not preclude the entry into force in its entirety of the Convention between Mauritania and Austria.

Bezwaar door Portugal, 4 maart 2002

The Government of the Portuguese Republic has examined the reservation made by the Government of the Islamic Republic of Mauritania to the Convention on the Elimination of All Forms of Discrimination against Women (New York, 18 December 1979) on 10 May 2001 in respect of any interpretation of the provisions of the Convention that it is incompatible with the precept of Islamic law and its Constitution.

The Government of the Portuguese Republic is of the view that the said reservation refers in a general manner to national law, failing to specify clearly its content and, therefore, leaving the other State parties with doubts as to the real extent of the Islamic Republic of Mauritania's commitment to the Convention.

Furthermore it also considers the reservation made by the Government of the Islamic Republic of Mauritania incompatible with the objective and purpose of the aforesaid Convention, and it seriously limits or even excludes its application on a vaguely defined basis, such as the global reference to the Islamic law.

The Government of the Portuguese Republic therefore objects to the reservation made by the Government of the Islamic Republic of Mauritania to the Convention on the Elimination of All Forms of Discrimination against Women.

This objection shall not preclude the entry into force of the Convention between the Portuguese Republic and the Islamic Republic of Mauritania.

Bezwaar door Verenigd Koninkrijk, 28 november 2001

The Government of the United Kingdom of Great Britain and Northern Ireland have examined the reservation made by the Government of Mauritania in respect of the Convention, which reads as follows: Having seen and examined the United Nations Convention on the Elimination of All Forms of Discrimination Against Women, adopted by the UN General Assembly on 18 December 1979, have approved and do approve it in each and every one of its parts which are not contrary to Islamic Sharia and are in accordance with our Constitution.

The Government of the United Kingdom note that a reservation to a Convention which consists of a general reference to national law without specifying its contents does 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 reservation made by the Government of Mauritania.

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

Bezwaar door Zweden, 21 januari 2002

The Government of Sweden has examined the reservation made by Mauritania upon acceding to the Convention on the Elimination of All Forms of Discrimination Against Women.

The Government of Sweden notes that the Convention is being made subject to a general reservation of unlimited scope referring to the contents of Islamic Sharia and to existing legislation in Mauritania.

The Government of Sweden is of the view that this reservation which does not clearly specify the provisions of the Convention to which it applies, and the extent of the derogation therefrom, raises serious doubts as to the commitment of Mauritania to the object and purpose of the Convention. The Government of Sweden 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 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 Mauritania to the Convention on the Elimination of All Forms of Discrimination Against Women.

The objection shall not preclude the entry into force of the Convention between Mauritania and Sweden. The Convention enters into force in its entirety between the two States, without Mauritania benefiting from its reservation.

Mauritius, 9 juli 1984

[...]

The Government of Mauritius does not consider itself bound by paragraph 1 of article 29 of the Convention, in pursuance of paragraph 2 of article 29.

Mexico, 17 juli 1980

In signing ad referendum the Convention on the Elimination of All Forms of Discrimination Against Women, which the General Assembly opened for signature by States on 18 December 1979, the Government of the United Mexican States wishes to place on record that it is doing so on the understanding that the provisions of the said Convention,

which agree in all essentials with the provisions of Mexican legislation, will be applied in Mexico in accordance with the modalities and procedures prescribed by Mexican legislation and that the granting of material benefits in pursuance of the Convention will be as generous as the resources available to the Mexican State permit.

Micronesia, 1 september 2004

1. The Government of the Federated States of Micronesia advises that it is not at present in a position to take the measures either required by Article 11 (1) (d) of the Convention to enact comparable worth legislation, or by Article 11 (2) (b) to enact maternity leave with pay or with comparable social benefits throughout the nation;
2. The Government of the Federated States of Micronesia, in its capacity as trustee of the heritage of diversity within its States under Article V of its Constitution, reserves the right not to apply the provisions of Articles 2 (f), 5, and 16 to the succession of certain well-established traditional titles, and to marital customs that divide tasks or decision-making in purely voluntary or consensual private conduct; and
3. The Government of the Federated States of Micronesia does not consider itself bound by the provisions of Article 29 (1) of the Convention, and takes the position that any dispute relating to the interpretation or application of the Convention may only be submitted to arbitration or to the International Court of Justice with the agreement of all parties to the dispute.

Bezwaar door Finland, 7 september 2005

The Government of Finland has carefully examined the contents of the reservations made by the Government of the Federated States of Micronesia to paragraph (f) of Article 2, Article 5, paragraphs 1 (d) and 2 (b) of Article 11 and Article 16 of the Convention on the Elimination of all Forms of Discrimination Against Women.

The Government of Finland recalls that by acceding to the Convention, a State commit itself to adopt the measures required for the elimination of discrimination, in all its forms and manifestations, against women.

The Government of Finland notes that the reservations made by Micronesia, addressing some of the most essential provisions of the Convention, and aiming to exclude the obligations under those provisions, are in contradiction with the object and purpose of the Convention.

The Government of Finland also recalls Part VI, Article 28 of the Convention according to which reservations incompatible with the object and purpose of the Convention are not permitted.

The Government of Finland therefore objects to the above-mentioned reservations made by the Government of the Federated States of Micronesia to the Convention. This objection does

not preclude the entry into force of the Convention between Micronesia and Finland. The Convention will thus become operative between the two states without Micronesia benefiting from its reservations.

Bezwaar door Portugal, 15 december 2005

The Government of Portugal has carefully examined the reservations made by the Federated States of Micronesia upon its accession to the Convention on the Elimination of All forms of Discrimination Against Women (CEDAW).

The first and second reservations concern fundamental provisions of the Convention and are not in conformity with its object and purpose. Articles 2, 5, 11 and 16 outline the measures which a State party is required to take in order to implement the Convention, cover the fundamental rights of women and deal with key elements for the elimination and discrimination against women. Portugal considers that such reservations may create doubts as to the commitment of the reserving State to the object and purpose of the Convention and, moreover, contribute to undermining the basis of international law.

It is in the common interest of all states that treaties to which 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 the Portuguese Republic, therefore, objects to the above reservations made by the Federated States of Micronesia to CEDAW.

This objection shall not preclude the entry into force of the Convention between Portugal and Micronesia.

Bezwaar door Verenigd Koninkrijk, 17 augustus 2005

The Government of the United Kingdom have examined the reservations made by the Government of Micronesia to the Convention on the Elimination of all Forms of Discrimination against Women (New York, 18 December 1979) on 9 September 2004 in respect of Article 11 (1) (d) on the enactment of comparable worth legislation.

The Government of the United Kingdom object to the aforesaid reservation made by the Government of Micronesia.

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

Bezwaar door Zweden, 25 augustus 2005

The Government of Sweden is of the view that this reservation raises serious doubts as to the commitment of the Government of

Micronesia to the object and purpose of the Convention. The reservation would, if put into practice, result in discrimination against women on the basis of sex. It should be borne in mind that the principles of the equal right of men and women and of non-discrimination on the basis of sex are set forth in the Charter of the United Nations as one of the purposes of the organisation, as well as in the Universal Declaration of Human Rights of 1948.

According to article 28 (2) of the Convention, and to customary law as codified in the Vienna Convention on the Law of Treaties, reservations incompatible with the object and purpose of the Convention 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 the Federated States of Micronesia to the Convention to the Elimination of All Forms of Discrimination against Women and considers the reservation null and void. The Convention enters into force in its entirety between the two States, without the Federated States of Micronesia benefiting from its reservations.

Monaco, 18 maart 2005

Declarations:

1. The implementation of the Convention on the Elimination of All Forms of Discrimination Against Women does not affect the validity of conventions concluded with France.
2. The Principality of Monaco deems that the aims of the Convention are to eliminate all forms of discrimination against women and to guarantee every individual, irrespective of gender, equality before the law, when the aforementioned aims are in line with the principles stipulated in the Constitution.
3. The Principality of Monaco declares that no provision in the Convention can be interpreted as impeding the provisions of the laws and regulations of Monaco that are more favourable to women than to men.

Reservations:

1. The ratification of the Convention by the Principality of Monaco shall have no effect on the constitutional provisions governing the succession to the throne.
2. The Principality of Monaco reserves the right not to apply the provisions of Article 7, paragraph b, of the Convention regarding recruitment to the police force.
3. The Principality of Monaco does not consider itself bound by the provisions of Article 9 which are not compatible with its nationality laws.

4. The Principality of Monaco does not consider itself bound by Article 16, paragraph 1(g), regarding the right to choose one's surname.
5. The Principality of Monaco does not consider itself bound by Article 16, paragraph 1(e), to the extent that the latter can be interpreted as forcing the legalization of abortion or sterilization.
6. The Principality of Monaco reserves the right to continue to apply its social security laws which, in certain circumstances, envisage the payment of certain benefits to the head of the household who, according to this legislation, is presumed to be the husband.
7. The Principality of Monaco declares, in conformity with the provisions of Article 29, paragraph 2, that it does not consider itself bound by the provisions of the first paragraph of this article.

Myanmar, 22 juli 1997

Article 29

[The Government of Myanmar] does not consider itself bound by the provision set forth in the said article.

Nederlanden, het Koninkrijk der, 23 juli 1991

During the preparatory stages of the present Convention and in the course of debates on it in the General Assembly the position of the Government of the Kingdom of the Netherlands was that it was not desirable to introduce political considerations such as those contained in paragraphs 10 and 11 of the preamble in a legal instrument of this nature. Moreover, the considerations are not directly related to the achievement of total equality between men and women. The Government of the Kingdom of the Netherlands considers that it must recall its objections to the said paragraphs in the preamble at this occasion.

Niger, 8 oktober 1999

Article 2, paragraphs (d) and (f)

The Government of the Republic of the Niger expresses reservations with regard to article 2, paragraphs (d) and (f), concerning the taking of all appropriate measures to abolish all customs and practices which constitute discrimination against women, particularly in respect of succession.

Article 5, paragraph (a)

The Government of the Republic of the Niger expresses reservations with regard to the modification of social and cultural patterns of conduct of men and women.

Article 15, paragraph 4

The Government of the Republic of the Niger declares that it can be bound by the provisions of this paragraph, particularly those concerning the right of women to choose their residence and domicile, only to the extent that these provisions refer only to unmarried women.

Article 16, paragraph 1 (c), (e) and (g)

The Government of the Republic of the Niger expresses reservations concerning the above-referenced provisions of article 16, particularly those concerning the same rights and responsibilities during marriage and at its dissolution, the same rights to decide freely and responsibly on the number and spacing of their children, and the right to choose a family name.

The Government of the Republic of the Niger declares that the provisions of article 2, paragraphs (d) and (f), article 5, paragraphs (a) and (b), article 15, paragraph 4, and article 16, paragraph 1 (c), (e) and (g), concerning family relations, cannot be applied immediately, as they are contrary to existing customs and practices which, by their nature, can be modified only with the passage of time and the evolution of society and cannot, therefore, be abolished by an act of authority.

Article 29

The Government of the Republic of the Niger expresses a reservation concerning article 29, paragraph 1, which provides that any dispute between two or more States concerning the interpretation or application of the present Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration.

In the view of the Government of the Niger, a dispute of this nature can be submitted to arbitration only with the consent of all the parties to the dispute.

The Government of the Republic of the Niger declares that the term “family education” which appears in article 5, paragraph (b), of the Convention should be interpreted as referring to public education concerning the family, and that in any event, article 5 would be applied in compliance with article 17 of the International Covenant on Civil and Political Rights.

Bezwaar door Denemarken, 2 november 2000

The Government of Denmark finds that the reservations made by the Government of Niger are not in conformity with the object and purpose of the Convention. The provisions in respect of which Niger has made reservations cover fundamental rights of women and establish key elements for the elimination of discrimination against women. For this reason, the Government of Denmark objects to the said reservations made by the Government of Niger.

The Convention remains in force in its entirety between Niger and Denmark.

It is the opinion of the Government of Denmark, that no time limit applies to objections against reservations, which are inadmissible under international law.

The Government of Denmark recommends the Government of Niger to reconsider its reservations to the Convention on the Elimination of All Forms of Discrimination against Women.

Bezwaar door Finland, 24 oktober 2000

The Government of Finland notes that the reservations [...] are not in conformity with the object and purpose of the Convention. By acceding to the Convention, a State commits itself to adopt the measures required for the elimination of discrimination against women, in all its forms and manifestations. This includes taking appropriate measures, including legislation, to modify or abolish i.e. customs and practices which constitute discrimination against women.

As it appears evident that the Government of the Republic of Niger will not apply the Convention with a view to fulfilling its treaty obligations to eliminate all forms of discrimination against women and submits reservations to some of the most essential provisions of the Convention, the above-mentioned reservations are in contradiction with the object and purpose of the Convention. The Government of Finland recalls Part VI, Article 28 of the Convention according to which reservations incompatible with object and purpose of the Convention are not permitted.

The Government of Finland therefore objects to the above-mentioned reservations made by the Government of Niger to the Convention.

This objection does not preclude the entry into force of the Convention between Niger and Finland. The Convention will thus become operative between the two states without benefitting from the reservations.

Bezwaar door Frankrijk, 14 november 2000

By indicating that it "expresses reservations" to article 2, paragraphs (d) and (f), article 5, paragraph (a), and article 16, paragraph 1 (c), (e) and (g), the Government of the Republic of the Niger is aiming completely to preclude the application of the provisions concerned. The reservation to article 15, paragraph 4, which seeks to deprive married women of the right to choose their residence and domicile, is contrary to the object and purpose of the Convention.

The general reservation relating to the provisions of article 2, paragraphs (d) and (f), article 5, paragraphs (a) and (b), article 15, paragraph 4, and article 16, paragraph 1 (c), (e) and (g), seeks to ensure that domestic law, and even domestic practice and the current values of society, prevail in general over the provisions of the Convention. The provisions in question concern not only family relations but also social relations as a whole; in particular, article 2, paragraph (d), imposes an obligation on public authorities and institutions to comply with the ban on any act or practice of discrimination, and article 2, paragraph (f), establishes the obligation to take the appropriate measures, notably legislative measures, to prevent discrimination against women, including in

relations between individuals. Because it ignores these obligations, the reservation is manifestly contrary to the object and purpose of the Convention.

The Government of the French Republic considers that the reservations to articles 2, 5, 15 and 16 completely vitiate the undertaking of the Republic of the Niger and are manifestly not authorized by the Convention; in consequence, it enters its objection to them.

[The Permanent Mission further adds] that the reservations of the Republic of the Niger, made on 8 October 1999, were notified by the Secretary-General of the United Nations on 2 November 1999 and received by the French Republic on 16 November 1999. In these circumstances, the French Republic is still able, as at this date and until 15 November 2000, to lodge an objection and the Secretary-General of the United Nations cannot treat this act as a simple communication.

Bezwaar door **Nederlanden, het Koninkrijk der**, 6 december 2000

The Government of the Kingdom of the Netherlands is of the view that these reservations which seek to limit the obligations of the reserving State by invoking its national law, may raise doubts as to the commitment of Niger to the object and purpose of the Convention and, moreover, contribute to undermining the basis of international treaty law.

The Government of the Kingdom of the Netherlands recalls that according to paragraph 2 of Article 28 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

It is in the common interest of States that treaties to which they have chosen to become party 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 Kingdom of the Netherlands therefore objects to the aforesaid reservations made by the Government of Niger to the Convention on the Elimination of All Forms of Discrimination against Women. This objection shall not preclude the entry into force of the Convention between the Kingdom of the Netherlands and Niger.

Bezwaar door Noorwegen, 1 november 2000

The reservation concerns fundamental provisions of the Convention. Article 2 is the core provision as it outlines the measures which the State Party is required to take in order to implement the Convention. The Convention can only be successfully implemented when all measures prescribed by Article 2 are taken.

Most importantly, it is unclear how the Convention's substantive provisions will be implemented without adopting measures to modify or abolish existing discriminatory laws, regulations, customs and practices.

The Government of Norway considers the other elements of the reservation, with exception of the reservation made to article 29, as incompatible with the object and purpose of the Convention. The relevant provisions cover fundamental rights of women or they outline key elements in order to abolish discrimination against women. Women will not have the opportunity to live on equal footing with men if these provisions are not implemented. Further, it is the Norwegian Government's position that Article 5, paragraph (b) covers both public and private family education. The Government of Norway therefore objects to the reservations made by the Government of Niger to the following provisions:

Article 2, paragraphs (d) and (f)

Article 5, paragraph (a)

Article 15, paragraph 4

Article 16, paragraph 1 (c), (e) and (g)

This objection does not preclude the entry into force in its entirety of the Convention between the Kingdom of Norway and Niger. The Convention thus becomes operative between Norway and Niger without Niger benefiting from these reservations.

Bezwaar door Zweden, 27 april 2000

The Government of Sweden considers that the reservations to articles 2, 5, 15 and 16 made by Niger upon accession are incompatible with the object and purpose of the Convention (article 28, paragraph 2) and therefore objects to them.

In this context the Government of Sweden wishes to take this opportunity to make the observation that the reason why reservations incompatible with the object and purpose of a treaty are not acceptable is precisely that otherwise they would render a basic international obligation of a contractual nature meaningless. Incompatible reservations, made in respect of the Convention on the elimination of all forms of discrimination against women, do not only cast doubts on the commitments of the reserving states to the objects and purpose of this Convention, but moreover, contribute to undermine the basis of international contractual law. It is in the common interest of states that treaties to which they have chosen to become parties also are respected, as to object and purpose, by other parties.

Noord-Korea, 27 februari 2001

The Government of the Democratic People's Republic of Korea does not consider itself bound by the provisions of paragraph (f) of article 2, paragraph 2 of article 9 and paragraph 1 of article 29 of [the Convention].

Bezwaar door Denemarken, 21 februari 2002

The Government of Denmark has examined the reservations made by the Democratic People's Republic of Korea upon accession to the Convention on [the] Elimination of All Forms of Discrimination Against Women in respect of paragraph (f) of article 2 and paragraph 2 of article 9.

The Government of Denmark finds that the reservation to paragraph (f) of article 2 aims at excluding the Democratic People's Republic of Korea from the obligation to adopt necessary measures, including those of a legislative character, to eliminate any form of discrimination against women. This provision touches upon a key element for effective elimination of discrimination against women.

The Government of Denmark furthermore notes that the reservation to paragraph 2 of article 9 of the Convention aims to exclude an obligation of non-discrimination, which is the aim of the Convention.

The Government of Denmark finds that the reservations made by the Democratic People's Republic of Korea are not in conformity with the object and purpose of the Convention.

The Government of Denmark therefore objects to the said reservation made by the Democratic People's Republic of Korea.

The Government of Denmark recommends the Government of [the] Democratic People's Republic of Korea to reconsider its reservations to the Convention.

The Convention on [the] Elimination of All Forms of Discrimination Against Women remains in force in its entirety between the Democratic People's Republic of Korea and Denmark.

Bezwaar door Duitsland, 2 oktober 2001

The Government of the Federal Republic of Germany has examined the reservations to the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) made by the Government of the Democratic People's Republic of Korea upon its accession to the Convention. The Government of the Federal Republic of Germany is of the view that the reservations to article 2 paragraph (f) and article 9 paragraph 2 of CEDAW are incompatible with the object and purpose of the Convention, for they aim at excluding the Democratic People's Republic of Korea's obligations in respect of two basic aspects of the Convention. The Government of the Federal Republic of Germany therefore objects to the aforesaid reservations made by the Government of the Democratic People's Republic of Korea to the Convention on all Forms of Discrimination against Women.

This objection does not preclude the entry into force of the Convention between the Federal Republic of Germany and the Democratic People's Republic of Korea.

Bezwaar door Finland, 5 maart 2002

The Government of Finland has carefully examined the contents of the reservations made by the Government of the Democratic People's Republic of Korea to the Convention on the Elimination of all Forms of Discrimination Against Women.

The Government of Finland recalls that by acceding to the Convention, a State commit itself to adopt the measures required for the elimination of discrimination, in all its forms and manifestations, against women.

The Government of Finland notes that the reservation to paragraph (f) of Article 2 aims at excluding the Democratic People's Republic of Korea from the obligations to adopt necessary measures, including those of a legislative character, to eliminate any form of discrimination against women. This provision touches upon a key element for effective elimination of discrimination against women.

The Government of Finland further notes that the reservation to paragraph 2 of Article 9 of the Convention aims to exclude an obligation of non-discrimination, which is the aim of the Convention.

The Government of Finland also recalls Part VI, Article 28 of the Convention according to which reservations incompatible with the object and purpose of the Convention are not permitted.

The Government of Finland finds that the reservations made by the Democratic People's Republic of Korea are not in conformity with the object and purpose of the Convention and therefore objects to the said reservations.

This objection does not preclude the entry into force of the Convention between the People's Democratic Republic of Korea and Finland. The Convention will thus become operative between the two States with the People's Democratic Republic of Korea benefiting from the reservations.

Bezwaar door Frankrijk, 4 maart 2002

Having considered the reservations and declarations made on 27 February 2001 by the Democratic People's Republic of Korea to the Convention on the Elimination of All Forms of Discrimination against Women of 18 December 1979, the Government of the French Republic objects to the said reservations and declarations relating to article 2, paragraph (f) and article 9, paragraph 2.

Bezwaar door Ierland, 2 april 2002

The Government of Ireland has examined the reservations made by the Government of the Democratic People's Republic of Korea to paragraph (f) of article 2 of article 9 of the Convention

on the Elimination of All Forms of Discrimination against Women, at the time of its accession thereto.

The Government of Ireland recalls that by acceding to the Convention, a State commits itself to adopt the measures required for the elimination of discrimination, in all its forms and manifestations, against women.

The Government of Ireland notes that the reservation to paragraph (f) of article 2 aims at excluding the Democratic People's Republic of Korea from the obligation to adopt necessary measures, including those of a legislative character, to eliminate any form of discrimination against women. This provision touches upon a key element for the effective elimination of discrimination against women.

The Government of Ireland further notes that the reservation to paragraph 2 of article 9 of the Convention aims to exclude an obligation of non-discrimination, which is the object of the Convention.

The Government of Ireland considers that the obligations contained in paragraph (f) of article 2 and paragraph 2 of article 9 are so central to the aims of the Convention as to render the aforesaid reservations contrary to its object and purpose.

The Government of Ireland recalls that. In accordance with paragraph 2 of article 28 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

The Government of Ireland therefore objects to the aforesaid reservations made by the Government of the Democratic People's Republic of Korea to the Convention on the Elimination of All Forms of Discrimination against Women.

This objection does not preclude the entry into force of the Convention between Ireland and the Democratic People's Republic of Korea.

Bezwaar door **Nederlanden, het Koninkrijk der**, 18 september 2001

The Government of the Kingdom of the Netherlands has examined the reservations made by the Government of the Democratic People's Republic of Korea regarding article 2, paragraph (f), and article 9, paragraph 2, of the Convention on the Elimination of All Forms of Discrimination against Women made at the time of its accession to the said Convention.

The Government of the Kingdom of the Netherlands considers that the reservations made by the Democratic People's Republic of Korea regarding article 2, paragraph (f), and article 9, paragraph 2, of the Convention are reservations incompatible with the object and purpose of the Convention. The Government of the Kingdom of the Netherlands recalls that, according to paragraph

2 of Article 28 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

It is in the common interest of States that treaties to which they have chosen to become party are respected, as to their object and purpose, by all parties and that States are prepared to take all appropriate measures, including legislation to comply with their obligations.

The Kingdom of the Netherlands therefore objects to the aforesaid reservations made by the Government of the Democratic People's Republic of Korea to the Convention on the Elimination of All Forms of Discrimination against Women.

This objection shall not preclude the entry into force of the Convention between the Kingdom of the Netherlands and the Democratic People's Republic of Korea.

Bezwaar door Noorwegen, 20 februari 2002

The Government of Norway has examined the contents of the reservation made by the Government of the Democratic People's Republic of Korea upon accession to the Convention on the Elimination of all forms of Discrimination against Women.

Article 2 is the Convention's core provision outlining the measures that the State Party is required to take in order to ensure the effective implementation of the Convention. Without adopting measures to modify or abolish existing discriminatory laws, regulations, customs and practices as prescribed by paragraph (f) of Article 2, none of the Convention's substantive provisions can be successfully implemented. The reservation to paragraph (f) of Article 2 is thus incompatible with the object and purpose of the Convention.

Further, as Article 9, paragraph 2 aims at eliminating discrimination against women, the reservation to this provision is incompatible with the object and purpose of the Convention.

The Government of Norway therefore objects to the parts of the reservation that concern paragraph (f) of Article 2 and paragraph 2 of Article 9, as they are impermissible according to Article 28, paragraph 2 of the Convention.

This objection does not preclude the entry into force in its entirety of the Convention between the Kingdom of Norway and the Democratic People's Republic of Korea. The Convention thus becomes operative between the Kingdom of Norway and the Democratic People's Republic of Korea without the Democratic People's Republic of Korea benefiting from the said parts of the reservation.

Bezwaar door Oostenrijk, 21 augustus 2001

Austria has examined the reservations to the Convention on the Elimination of All Forms of Discrimination against Women made by the Government of the Democratic People's Republic of Korea in its note to the Secretary General of 27 February 2001. Taking into consideration that according to Paragraph 2 of Article 28 of the Convention, reservations which are incompatible with the objective and purpose of the Convention are not acceptable, Austria objects to the reservations in respect of Paragraph f of Article 2 and Paragraph 2 of Article 9.

Both Paragraphs refer to basic aspects of the Convention, that are legislation to abolish existing discrimination against women and a specific form of discrimination, such as the nationality of children.

This position, however, does not preclude the entry into force in its entirety of the Convention between the Democratic People's Republic of Korea and Austria.

Bezwaar door Portugal, 4 maart 2002

The Government of the Portuguese Republic has examined the reservation made by the Government of the Democratic People's Republic of Korea to the Convention on the Elimination of All Forms of Discrimination against Women (New York, 18 December 1979) on 27 February 2001 in respect of articles 2 (f) and 9.2 of the Convention.

Recalling that, according to paragraph 2 of Article 28 of the Convention a reservation incompatible with the object and purpose of the Convention shall not be permitted, the Government of the Portuguese Republic objects to the said reservations.

In fact, the reservation relating to article 2 (f) refers to a basic aspect of the Convention, namely the compromise to enact legislation to abolish all existing legal practices discriminating against women.

Regarding the reservation to article 9.2, the Government of the Portuguese Republic is of the view that the said reservation intends to exclude one of the specific obligations of non-discrimination, which is the essence of the Convention.

It is in the common interests of States that Treaties to which they have chosen to become party are respected by all parties and that the States are prepared to take all appropriate measures, including legislation to comply with their obligations.

Therefore, the Government of the Portuguese Republic objects to the afore mentioned reservations made by the Government of the Democratic People's Republic of Korea to the Convention on the Elimination of All Forms of Discrimination against Women.

This objection shall not preclude the entry into force of the Convention between the Portuguese Republic and the Democratic

People's Republic of Korea.

Bezwaar door Spanje, 5 juli 2001

The Government of the Kingdom of Spain has examined the reservations made by the Government of the Democratic People's Republic of Korea to articles 2 (f) and 9 (2) of the Convention on the Elimination of All Forms of Discrimination against Women, on 27 February 2001 in acceding to the Convention.

The Government of the Kingdom of Spain considers those reservations to be incompatible with the object and purpose of the Convention, since their intent is to exempt the Democratic People's Republic of Korea from committing itself to two essential elements of the Convention, one being the general requirement to take measures, including legislation, to eliminate all forms of discrimination against women (article 2 (f)) and the other being the requirement to address a specific form of discrimination with respect to the nationality of children (article 9 (2)).

The Government of the Kingdom of Spain recalls that, under article 28 (2) of the Convention, reservations incompatible with the object and purpose of the Convention are not permitted.

Accordingly, the Government of the Kingdom of Spain objects to the above-mentioned reservations made by the Democratic People's Republic of Korea to the Convention on the Elimination of All Forms of Discrimination against Women.

This objection does not prevent the Convention's entry into force between the Kingdom of Spain and the Democratic People's Republic of Korea.

Bezwaar door Verenigd Koninkrijk, 5 maart 2002

The Government of the United Kingdom has examined the reservation made by the Government of the Democratic People's Republic of Korea on 27 February in respect of the Convention, which reads as follows:

The Government of the Democratic People's Republic of Korea does not consider itself bound by the provisions of paragraph (f) of Article 2 [...] of the Convention on the Elimination of All Forms of Discrimination Against Women.

Paragraph (f) of Article 2 requires States Parties to take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women. The Government of the United Kingdom notes that a reservation which excludes obligations of such a general nature does 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 objects to the reservation made

by the Government of the Democratic People's Republic of Korea.

This objection shall not preclude the entry into force of the Convention between the United Kingdom of Great Britain and Northern Ireland and the Democratic People's Republic of Korea.

Bezwaar door Zweden, 25 juli 2001

The Government of Sweden has examined the reservation made by the Democratic People's Republic of Korea at the time of its accession to the Convention on the Elimination of All Forms of Discrimination against Women, regarding articles 2 (f) and 9 (2) of the Convention.

The reservation in question, if put into practice, would inevitably result in discrimination against women on the basis of sex, which is contrary to the object and purpose of the Convention. It should be borne in mind that the principles of the equal rights of men and women and of non-discrimination on the basis of sex are set forth in the Charter of the United Nations as one of the purposes of the organisation, as well as in the Universal Declaration of Human Rights of 1948.

According to Article 28 (2) of the Convention, reservations incompatible with the object and purpose of the Convention 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. 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 Sweden therefore objects to the aforesaid reservation made by the Government of the Democratic People's Republic of Korea to the Convention on the Elimination of All Forms of Discrimination against Women and considers the reservation null and void. The Convention enters into force in its entirety between the two States, without the Democratic People's Republic of Korea benefiting from its reservation.

Oman, 7 februari 2006

1. All provisions of the Convention not in accordance with the provisions of the Islamic sharia and legislation in force in the Sultanate of Oman;

2. Article 9, paragraph 2, which provides that States Parties shall grant women equal rights with men with respect to the nationality of their children;

3. Article 15, paragraph 4, which provides that States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile;
4. Article 16, regarding the equality of men and women, and in particular subparagraphs (a), (c), and (f) (regarding adoption).
5. The Sultanate is not bound by article 29, paragraph 1, regarding arbitration and the referral to the International Court of Justice of any dispute between two or more States which is not settled by negotiation.

Bezwaar door België, 30 april 2007

Belgium has carefully examined the reservation formulated by the Sultanate of Oman when it acceded, on 7 February 2006, to the Convention on the Elimination of All Forms of Discrimination against Women, adopted in New York on 18 December 1979. Belgium notes that the reservation formulated with respect to article 9, paragraph 2; article 15, paragraph 4; and article 16 concerns fundamental provisions of the Convention and is therefore incompatible with the object and purpose of that instrument. In addition, the first paragraph of the reservation makes the implementation of the Convention's provisions contingent upon their compatibility with the Islamic sharia and legislation in force in the Sultanate of Oman. This creates uncertainty as to which of its obligations under the Convention the Sultanate of Oman intends to observe and raises doubts as to Oman's respect for the object and purpose of the Convention.

Belgium recalls that, under article 28, paragraph 2, of the Convention, reservations incompatible with the object and purpose of the Convention are not permitted. It is in the common interest for all parties to respect the treaties to which they have acceded and for States to be willing to enact such legislative amendments as may be necessary in order to fulfil their treaty obligations. Under customary international law, as codified in the Vienna Convention on the Law of Treaties, a reservation incompatible with the object and purpose of a treaty is not permitted (article 19 (c)). In consequence, Belgium objects to the reservation formulated by the Sultanate of Oman with respect to the Convention on the Elimination of All Forms of Discrimination against Women. This objection shall not preclude the entry into force of the Convention between the Kingdom of Belgium and the Sultanate of Oman. The Convention shall enter into force in its entirety, without Oman benefiting from its reservation.

Bezwaar door Denemarken, 6 oktober 2006

The Government of Denmark has examined the reservations made by the Sultanate of Oman upon accession to the Convention on the Elimination of all Forms of Discrimination Against

Women regarding article 9 (2), 15 (4), 16 (a, c, f), and all provisions of the Convention not in accordance with the principles of the Islamic Sharia.

The Government of Denmark finds that the general reservation with reference to the provisions of the Islamic Sharia is of unlimited scope and undefined character. The Government of Denmark furthermore notes that the reservations made by the Sultanate of Oman to article 9 (2), 15 (4), and 16 (a, c, f) would inevitably result in the discrimination against women on the basis of sex, which is contrary to the object and purpose of the Convention. Consequently, the Government of Denmark considers the said reservations to be incompatible with the object and purpose of the Convention and accordingly inadmissible and without effect under international law.

The Government of Denmark wishes to recall that, according to article 28 (2) of the Convention, reservations incompatible with the object and purpose of the Convention shall not be permitted. The Government of Denmark therefore objects to the aforementioned reservations made by the Sultanate of Oman to the Convention on the Elimination of all Forms of Discrimination Against Women. This shall not preclude the entry into force of the Convention in its entirety between Oman and Denmark.

The Government of Denmark recommends the Sultanate of Oman to reconsider its reservations to the Convention on the Elimination of all Forms of Discrimination Against Women.

Bezwaar door Duitsland, 28 augustus 2006

The Government of the Federal Republic of Germany has carefully examined the reservations made by the Sultanate of Oman on 7 February 2006 upon accession to the Convention on the Elimination of All Forms of Discrimination Against Women of 18 December 1979. The reservations state the Sultanate of Oman does not consider itself bound by provisions of the Convention that are not in accordance with the provisions of the Islamic Sharia and legislation in force in the Sultanate of Oman, and also state that it is not bound by Article 9 (2), Article 15 (4) and Article 16, subparagraphs (a), (c) and (f) of the Convention.

The Government of the Federal Republic of Germany is of the opinion that by giving precedence to the principles of the Sharia and its own national law over the application of the provisions of the Convention, the Sultanate of Oman has made a reservation which leaves it unclear to what extent it feels bound by the obligations of the Convention and which is incompatible with the object and purpose of the Convention. Furthermore, the reservations to Article 9 (2), Article 15 (4) and Article 16 will unavoidably result in a legal situation that discriminates against women,

which is incompatible with the object and purpose of the Convention.

Pursuant to Article 28 (2) of the Convention, reservations that are incompatible with the object and purpose of the Convention shall not be permitted.

The Government of the Federal Republic of Germany therefore objects to the above-mentioned reservations. This objection shall not preclude the entry into force of the Convention between the Federal Republic of Germany and the Sultanate of Oman.

Bezwaar door Estland, 4 december 2006

The Government of the Republic of Estonia has carefully examined the reservations made by the Government of Sultanate of Oman to paragraph 2 of Article 9, paragraph 4 of Article 15, and subparagraphs (a), (c) and (f) of Article 16 of the Convention on the Elimination of all Forms of Discrimination Against Women. The reservations to paragraph 2 of Article 9, paragraph 4 of Article 15, and subparagraphs (a), (c) and (f) of Article 16, if put into practice, would inevitably result in discrimination against women on the basis of sex, which is contrary to the object and purpose of the Convention. In particular, Article 16 is one of the core provisions of the Convention to which reservations are incompatible with the Convention and therefore impermissible.

Furthermore, section one of the reservation makes a general reference to the provisions of the Islamic sharia and legislation in force in the Sultanate of Oman. The Government of Estonia is of the view that in the absence of further clarification, this reservation makes it unclear to what extent the Sultanate of Oman considers itself bound by the obligations of the Convention and therefore raises concerns as to the commitment of the Sultanate of Oman to the object and purpose of the Convention.

According to Article 28, paragraph 2 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

The Government of Estonia therefore objects to the general reservation made in section one, and reservations to paragraph 2 of Article 9, paragraph 4 of Article 15, and subparagraphs (a), (c) and (f) of Article 16, made by the Government of the Sultanate of Oman to the Convention on the Elimination of all Forms of Discrimination Against Women.

This objection shall not preclude the entry into force of the Convention on the Elimination of all Forms of Discrimination Against Women as between the Republic of Estonia and the Sultanate of Oman.

Bezwaar door Finland, 27 februari 2007

The Government of Finland has carefully examined the contents of the general reservation made by the Government of Oman to all provisions of the Convention on the Elimination of All Forms of Discrimination against Women and the specific reservations concerning paragraph 2 of Article 9, paragraph 4 of Article 15 and paragraphs 1 (a), 1 (c) and 1 (f) of Article 16 of the Convention.

The Government of Finland recalls that by acceding to the Convention, a State commits itself to adopt the measures required for the elimination of discrimination, in all its forms and manifestations, against women.

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 also notes that the specific reservations made by Oman, addressing some of the most essential provisions of the Convention, and aiming to exclude the obligations under those provisions, are in contradiction with the object and purpose of the Convention.

The Government of Finland also recalls Part VI, Article 28 of the Convention, according to which reservations incompatible with the object and purpose of the Convention are not permitted.

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

Bezwaar door Frankrijk, 13 februari 2007

The Government of the French Republic has considered the reservations made by the Sultanate of Oman upon accession to the Convention on the Elimination of All Forms of Discrimination against Women of 18 December 1979, according to which the Sultanate of Oman does not consider itself bound by “any provisions of the Convention which are incompatible with Islamic Sharia or with the laws in force in the Sultanate of Oman”, or by the provisions of article 9, paragraph 2, article 15, paragraph 4 and article 16, in particular paragraph 1 (a), (c) and (f). The Gov-

ernment of the French Republic considers that, by ruling out the application of the Convention or subordinating it to Sharia principles and the laws in force, the Sultanate of Oman is making a reservation of a general and indeterminate nature, thereby depriving the provisions of the Convention of any effect. The Government of the French Republic considers this reservation to be contrary to the object and purpose of the Convention and therefore wishes to register an objection thereto. The Government of the French Republic also objects to the reservations made to article 9, paragraph 2, article 15, paragraph 4 and article 16, in particular paragraph 1 (a), (c) and (f). These objections shall not prevent the entry into force of the Convention between France and the Sultanate of Oman.

Bezwaar door Griekenland, 29 januari 2007

The Government of the Hellenic Republic have examined the reservations formulated by the Sultanate of Oman upon accession to the Convention on the Elimination of All Forms of Discrimination against Women of 18 December 1979.

The Government of the Hellenic Republic consider that the reservation to "all provisions of the Convention not in accordance with the provisions of the Islamic sharia and legislation in force in the Sultanate of Oman" is of unlimited scope and undefined character, while, furthermore, subjects the application of the Convention to the domestic law of the Sultanate of Oman. It is, therefore, incompatible with the object and purpose of the Convention.

Moreover, the Government of the Hellenic Republic consider that the reservations to articles 9 par. 2, 15 par. 4 and 16 do not specify the extent of the derogation therefrom and, therefore, are incompatible with the object and purpose of the Convention.

The Government of the Hellenic Republic recall that, according to Article 28 paragraph 2 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

For these reasons, the Government of the Hellenic Republic object to the abovementioned reservations formulated by the Sultanate of Oman.

This objection shall not preclude the entry into force of the Convention between Greece and the Sultanate of Oman.

Bezwaar door Hongarije, 7 februari 2007

The Government of the Republic of Hungary has examined the reservations made by the Sultanate of Oman on 7 February 2006 upon accession to the Convention on the Elimination of All Forms of Discrimination against Women of 18 December 1979. The reservations state the Sultanate of Oman does not consider

itself bound by the provisions of the Convention that are not in accordance with the provisions of the Islamic Sharia and legislation in force in the Sultanate of Oman, and also state that it is not bound by Article 9 (2), Article 15 (4) and Article 16, subparagraphs (a), (c) and (f) of the Convention.

The Government of the Republic of Hungary is of the opinion that by giving precedence to the principles of the Sharia and its own national law over the application of the provisions of the Convention, the Sultanate of Oman has made a reservation which leaves it unclear to what extent it feels bound by the obligations of the Convention and which is incompatible with the object and purpose of the Convention. Furthermore, the reservations to Article 9 (2), Article 15 (4) and Article 16 will unavoidably result in a legal situation that discriminates against women, which is incompatible with the object and purpose of the Convention.

Pursuant to Article 28 (2) of the Convention, reservations that are incompatible with the object and purpose of the Convention shall not be permitted.

The Government of the Republic of Hungary therefore objects to the above-mentioned reservations. This objection shall not preclude the entry into force of the Convention between the Republic of Hungary and the Sultanate of Oman.

Bezwaar door Ierland, 19 december 2006

The Government of Ireland has examined the reservation made on 7 February 2006 by the Sultanate of Oman to the Convention on the Elimination of All Forms of Discrimination against Women at the time of its accession thereto.

The Government of Ireland notes that the Sultanate of Oman subjects application of the Convention on the Elimination of All Forms of Discrimination against Women to the provisions of Islamic sharia and legislation in force in the Sultanate. The Government of Ireland is of the view that a reservation which consists of a general reference to religious law and to the Constitution of the reserving State and which does not clearly specify the provisions of the Convention to which it applies and the extent of the derogation therefrom, may cast doubts on the commitment of the reserving state to fulfil its obligations under the Convention. The Government of Ireland is furthermore of the view that such a general reservation may undermine the basis of international treaty law and is incompatible with the object and purpose of the Convention. The Government of Ireland recalls that according to Article 28, paragraph 2 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

The Government of Ireland further considers that the reservations made with respect to Article 9, paragraph 2, Article 15, paragraph

4 and Article 16 of the Convention are incompatible with the object and purpose of the Convention.

The Government of Ireland therefore objects to the aforesaid reservations made by the Sultanate of Oman to the Convention on the Elimination of All Forms of Discrimination against Women. This objection shall not preclude the entry into force of the Convention between Ireland and the Sultanate of Oman.

Bezwaar door Italië, 9 juli 2007

[...], the Government of Italy has carefully examined the reservations made by the Sultanate of Oman on 7 February 2006 upon accession to the above mentioned Convention. The reservations state that the Sultanate of Oman does not consider itself bound by provisions of the Convention that are not in accordance with the provisions of the Islamic Sharia and legislation in force in the Sultanate of Oman, and also state that it is not bound by Article 9 (2), Article 15 (4) and Article 16, subparagraphs (a), (c) and (f) of the Convention.

The Government of Italy is of the opinion that by giving precedence to the principles of the Sharia and its own national law over the application of the provisions of the Convention, the Sultanate of Oman has made a reservation which leaves it unclear to what extent it feels bound by the obligations of the Convention and which is incompatible with the object and purpose of the Convention. Pursuant to Article 28 (2) of the Convention, reservations that are incompatible with the object and purpose of the Convention shall not be permitted.

The Government of Italy therefore objects to the above-mentioned reservations. This objection shall not preclude the entry into force of the Convention between Italy and the Sultanate of Oman.

Bezwaar door Letland, 6 december 2006

The Government of the Republic of Latvia has carefully examined the reservations made by the Sultanate of Oman to the Convention on the Elimination of All Forms of Discrimination against Women upon accession to the Convention regarding Article 9 paragraph 2, article 15 paragraph 4 and article 16.

The Government of the Republic of Latvia considers that the aim of the said Convention is to grant the equality between men and women and therefore the distinction between genders regarding the rights to determinate the nationality of children is not in accordance with the aim of the said convention.

Moreover, the rights to determine its own domicile, is a part of the free movement of person, is very important part of human rights and, thus no limitations may be permitted to the said right.

The Government of the Republic of Latvia is of the opinion that the equality between spouses is a very important issue and, therefore, no exemption regarding the said rights is acceptable.

Moreover, the Government of the Republic of Latvia is of the opinion that these reservations made by the Sultanate of Oman contradict to the object and purpose of the Convention and in particular to the obligation of all States Parties to pursue by all appropriate means and without delay a policy of eliminating the discrimination against women.

The Government of the Republic of Latvia recalls Part VI, Article 28 of the Convention setting out that reservations incompatible with the object and purpose of the Convention are not permitted.

The Government of the Republic of Latvia, therefore, objects to the aforesaid reservations made by the Sultanate of Oman to the Convention on the Elimination of All Forms of Discrimination against Women.

However, this objection shall not preclude the entry into force of the Convention between the Republic of Latvia and the Sultanate of Oman. Thus, the Convention will become operative without the Sultanate of Oman benefiting from its reservation.

Bezwaar door **Nederlanden, het Koninkrijk der**, 19 juli 2006
The Government of the Netherlands has examined the reservation made by Oman to the Convention on the Elimination of All Forms of Discrimination against Women. The Government of the Kingdom of the Netherlands considers that the reservations with respect to article 9, paragraph 2; article 15, paragraph 4; and article 16, of the Convention are reservations incompatible with the object and purpose of the Convention.

Furthermore, the Government of the Kingdom of the Netherlands considers that with the first part of the reservation the application of the Convention on the Elimination of All Forms of Discrimination against Women is made subject to the provisions of the Islamic sharia and legislation in force in the Sultanate of Oman. This makes it unclear to what extent Oman considers itself bound by the obligations of the treaty and therefore raises concerns as to the commitment of Oman to the object and purpose of the Convention.

The Government of the Kingdom of the Netherlands recalls that, according to paragraph 2 of article 28 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

It is in the common interest of States that treaties to which they have chosen to become party 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 the Kingdom of the Netherlands therefore objects to the aforesaid reservations made by the Government of Oman to the Convention on the Elimination of All Forms of Discrimination against Women.

This objection shall not preclude the entry into force of the Convention between the Kingdom of the Netherlands and Oman.

Bezwaar door Oostenrijk, 5 januari 2007

The Government of Austria has examined the reservations made by the Government of the Sultanate of Oman upon accession to the Convention on the Elimination of All Forms of Discrimination against Women.

The Government of Austria finds that the reservations to article 9, paragraph 2, article 15, paragraph 4, and article 16 would inevitably result in discrimination against women on the basis of sex. This is contrary to the object and purpose of the Convention. The Government of Austria further considers that, in the absence of further clarification, the reservation to “all provisions of the Convention not in accordance with the provisions of the Islamic sharia and legislation in force in the Sultanate of Oman” does not clearly specify its extent and therefore raises doubts as to the degree of commitment assumed by the Sultanate of Oman in becoming a party to the Convention.

The Government of Austria would like to recall that, according to article 28, paragraph 2 of the Convention as well as customary international law as codified in the Vienna Convention on the Law of Treaties (Art. 19 sub-paragraph c), a reservation 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 requested 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.

For these reasons, the Government of Austria objects to the aforementioned reservations made by the Sultanate of Oman to the Convention on the Elimination of All Forms of Discrimination against Women.

This position however does not preclude the entry into force in its entirety of the Convention between the Sultanate of Oman and Austria.

Bezwaar door Polen, 1 maart 2007

The Government of the Republic of Poland has examined the reservations made by the Sultanate of Oman upon accession to the

Convention on the Elimination of All Forms of Discrimination against Women, adopted by General Assembly of the United Nations on December 18, 1979, regarding articles 9 paragraph 2, 15 paragraph 4, 16 (a), (c) and (f) and all provisions of the Convention not in accordance with the principles of the Islamic Sharia.

The Government of the Republic of Poland considers that the reservations made by the Sultanate of Oman are incompatible with the object and purpose of the Convention which guarantees equal rights of women and men to exercise their economic, social, cultural, civil, and political rights. The Government of the Republic of Poland therefore considers that, according to article 19 (c) of the Vienna Convention on the Law of Treaties, done at Vienna on 23 May 1969, as well as article 28 (2) of the Convention on the Elimination of All Form of Discrimination against Women, reservations incompatible with the object and purpose of a treaty shall not be permitted.

Moreover, the Government of the Republic of Poland considers that by making a general reference to the Islamic Sharia without indicating the provisions of the Convention to which the Islamic Sharia applies, the Sultanate of Oman does not specify the exact extent of the introduced limitations and thus does not define precisely enough the extent to which the Sultanate of Oman has accepted the obligations under the Convention.

The Government of the Republic of Poland therefore objects to the aforementioned reservations made by the Sultanate of Oman upon accession to the Convention on the Elimination of All Forms of Discrimination against Women, adopted by General Assembly of the United Nations on 18 December 1979, regarding articles 9 paragraph 2, 15 paragraph 4, 16 (a), (c) and (f) and all provisions of the Convention not in accordance with the principles of the Islamic Sharia.

This objection does not preclude the entry into force of the Convention between the Republic of Poland and Sultanate of Oman.

Bezwaar door Portugal, 30 januari 2007

[...] the Government of the Portuguese Republic has carefully examined the reservations made by the Sultanate of Oman upon its accession to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

The first reservation concerns “all provisions of the Convention not in accordance with the provisions of the Islamic sharia and legislation in force in the Sultanate of Oman”. Portugal considers that this reservation is too general and vague and seeks to limit the scope of the Convention on an unilateral basis that is not authorised by it. Moreover, this reservation creates doubts as to the commitment of the reserving State to the object and pur-

pose of the Convention and, moreover, contributes to undermining the basis of international law. It is in the common interest of all 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 second, third and fourth reservations concern fundamental provisions of the Convention, such as articles 9 (2), 15 (4) and 16, that cover the fundamental rights of women and deal with the key elements for the elimination of discrimination against women on the basis of sex. These reservations are thus incompatible with the object and purpose of the Convention and are not permitted under article 28 (2) of the CEDAW.

The Government of the Portuguese Republic, therefore, objects to the above mentioned reservations made by the Sultanate of Oman to the CEDAW.

This objection shall not preclude the entry into force of the Convention between Portugal and Oman.

Bezwaar door Roemenië, 8 februari 2007

The Government of Romania has carefully considered the reservations made by the Sultanate of Oman on 7 February 2006 upon accession to the Convention on the Elimination of all Forms of Discrimination against Women (New York, 18 December 1979) and regards the reservations made to Article 9 para. 2, Article 15 para.4 and Article 16, sub-paragraphs a), c) and f) (concerning adoptions), as incompatible with the object and purpose of the Convention, as, by their formulation, various forms of discrimination against women are maintained and, implicitly, the inequality of rights between men and women is perpetuated.

Furthermore, the Government of Romania is of the opinion that the general reservation made by the Sultanate of Oman subjects the application of the provisions of the Convention to their compatibility with the Islamic law and the national legislation in force in the Sultanate of Oman. This reservation is, thus, problematic as it raises questions with regard to the actual obligations the Sultanate of Oman understood to undertake by acceding to the Convention, and with regard to its commitment to the object and purpose of the Convention.

The Government of Romania recalls that, pursuant to Article 28 para. 2 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

Consequently, the Government of Romania objects to the aforementioned reservations made by the Sultanate of Oman to the Convention on the Elimination of all Forms of Discrimination against Women. This objection shall not preclude the entry into

force of the Convention, in its entirety, between Romania and the Sultanate of Oman.

The Government of Romania recommends to the Sultanate of Oman to reconsider the reservations made to the Convention on the Elimination of all Forms of Discrimination against Women.

Bezwaar door Slowakije, 27 februari 2007

The Government of Slovakia has carefully examined the reservation made by the Sultanate of Oman upon its accession to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

The Government of Slovakia is of the view that the general reservation made by the Sultanate of Oman that "all provisions of the Convention not in accordance with the provisions of the Islamic sharia and legislation in force in the Sultanate of Oman" is too general and does not clearly specify the extent of the obligation (mentioned in the Convention) for the Sultanate of Oman. The Government of Slovakia finds the reservation to article 9 (2), article 15 (4) and article 16 incompatible with the object and purpose of the Convention and is therefore inadmissible under article 19 (c) of the Vienna Convention on the Law of Treaties. Therefore it shall not be permitted, in accordance with article 2[8], paragraph 2 of the Convention on the Elimination of All Forms of Discrimination Against Women.

For these reasons, the Government of Slovakia objects to the above mentioned reservation made by the Sultanate of Oman upon its accession to the Convention on the Elimination of All Forms of Discrimination Against Women.

This objection shall not preclude the entry into force of the Convention on the Elimination of All Forms of Discrimination Against Women between Slovakia and the Sultanate of Oman. The Convention enters into force in its entirety between Slovakia and the Sultanate of Oman, without the Sultanate of Oman benefitting from its reservation.

Bezwaar door Spanje, 23 februari 2007

The Government of the Kingdom of Spain has examined the reservations made by the Sultanate of Oman upon accession to the Convention on the Elimination of All Forms of Discrimination against Women regarding all the provisions of the Convention which are incompatible with Islamic law and with the legislation in force in Oman and to articles 9 (2), 15 (4) and 16 of the Convention.

The Government of the Kingdom of Spain considers that the first part of the reservation which subordinates all the provisions of the Convention to conform to Islamic law and the legislation in force in Oman, to which it makes general reference, without

specifying its content, does not permit clear determination as to the extent to which Oman has accepted the obligations derived under the Convention and, consequently, such reservation sheds doubt as to the extent to which the Sultanate of Oman is committed to the object and purpose of the Convention.

Furthermore, the reservations to articles 9 (2), 15 (4) and 16 are incompatible with the object and purpose of the Convention, which aim at exempting Oman from its commitment essential obligations of the Convention.

The Government of the Kingdom of Spain recalls that according to article 28 (2) of the Convention, reservations that are incompatible with the object and purpose of the Convention shall not be permitted.

Therefore, the Government of the Kingdom of Spain objects to the reservations made by the Sultanate of Oman to all the provisions of the Convention on the Elimination of All Forms of Discrimination against Women which are incompatible with Islamic law and with the legislation in force in Oman and to articles 9 (2), 15 (4) and 16 of the Convention.

This objection shall not preclude the entry into force of the Convention between the Kingdom of Spain and the Sultana of Oman.

Bezwaar door Tsjechië, 12 januari 2007

The Government of the Czech Republic has examined the reservations made by the Sultanate of Oman upon accession to the Convention on the Elimination of All Forms of Discrimination against Women.

The Government of the Czech Republic is of the view that the reservations made to Article 9 paragraph 2, Article 15, paragraph 4 and Article 16, if put into practice, would inevitably result in discrimination against women on the basis of sex, which is contrary to the object and purpose of the Convention. Furthermore, the Government of the Czech Republic notes that the reservation regarding all provisions of the Convention not in accordance with the provisions of the Islamic sharia and legislation in force in the Sultanate of Oman does not clearly define for the other States Parties to the Convention the extent to which the Sultanate of Oman has accepted the obligations of the Convention and therefore raises concerns as to its commitment to the object and purpose of the Convention.

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. According to Article 28, paragraph 2 of the Convention and according to customary international law as codified in the Vienna Convention on the Law of Treaties, a res-

ervation that is incompatible with the object and purpose of a treaty shall not be permitted.

The Government of the Czech Republic therefore objects to the aforesaid reservations made by the Government of the Sultanate of Oman to the Convention. This objection shall not preclude the entry into force of the Convention between the Czech Republic and the Sultanate of Oman. The Convention enters into force in its entirety between the Czech Republic and the Sultanate of Oman, without the Sultanate of Oman benefiting from its reservation.

Bezwaar door Verenigd Koninkrijk, 28 februari 2007

The Government of the United Kingdom have examined the reservations made by the Government of the Sultanate of Oman to the Convention on the Elimination of all Forms of Discrimination Against Women (New York, 18 December 1979).

In the view of the Government of the United Kingdom a reservation should clearly define for the other States Parties to the Convention the extent to which the reserving State has accepted the obligations of the Convention. A reservation which consists of a general reference to a system of law without specifying its contents does not do so. The Government of the United Kingdom therefore object to the Sultanate of Oman's reservation from "all provisions of the Convention not in accordance with the provisions of the Islamic Sharia and legislation in force in the Sultanate of Oman".

The Government of the United Kingdom further object to the Sultanate of Oman's reservations from Article 15, paragraph 4 and Article 16 of the Convention.

These objections 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, 6 februari 2007

The Government of Sweden has examined the reservations made by the Sultanate of Oman on 7 February 2006 to the Convention on the Elimination of All Forms of Discrimination against Women.

The Government of Sweden notes that the Sultanate of Oman gives precedence to the provisions of Islamic Sharia and national legislation over the application of the provisions of the Convention. The Government of Sweden is of the view that this reservation which does not clearly specify the extent of the Sultanate of Oman's derogation from the provisions in question raises serious doubt as to the commitment of the Sultanate of Oman to the object and purpose of the Convention.

Furthermore, the Government of Sweden considers that, regarding the reservations made with respect to articles 9 (2), 15 (4), 16 (a, c, f), if put into practice, would inevitably result in discrimination against women on the basis of sex, which is contrary to the object and purpose of the Convention. It should be borne in mind that the principles of the equal rights of women and men and of non-discrimination on the basis of sex are set forth in the Charter of the United Nations as one of the purposes of the organization, as well as the declaration of Human Rights of 1948. According to article 28 (2) of the Convention and to international customary law, as codified in the Vienna Convention on the Law of Treaties, reservations incompatible with the object and purpose of the Convention 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 reservations made by the Sultanate of Oman to the Convention on the Elimination of All Forms of Discrimination against Women and considers them null and void.

This objection shall not preclude the entry into force of the Convention between the Sultanate of Oman and Sweden. The Convention enters into force in its entirety between the two States, without the Sultanate of Oman benefiting from its reservations.

Oostenrijk, 31 maart 1982

Austria reserves its right to apply [...] the provision of article 11, as far as [...] special protection of working women is concerned, within the limits established by national legislation.

Pakistan, 12 maart 1996

The accession by [the] Government of the Islamic Republic of Pakistan to the [said Convention] is subject to the provisions of the Constitution of the Islamic Republic of Pakistan.

The Government of the Islamic Republic of Pakistan declares that it does not consider itself bound by paragraph 1 of article 29 of the Convention.

Bezwaar door Denemarken, 23 maart 1998

The Government of Denmark finds that the said reservations are covering central provisions of the Convention. Furthermore it is a general principle of international law that internal law may not be invoked as justification for failure to perform treaty obligations. The Government of Denmark finds that the reservations are incompatible with the object and purpose of the Convention and

accordingly inadmissible and without effect under international law. Consequently, the Government of Denmark objects to these reservations.

It is the opinion of the Government of Denmark that no time limit applies to objections against reservations, which are inadmissible under international law.

The Convention remains in force in its entirety between Pakistan and Denmark.

The Government of Denmark recommends the Government of Pakistan to reconsider its reservations to the [said] Convention.

Bezwaar door Duitsland, 28 mei 1997

In respect of the declaration made by Pakistan, the Federal Republic of Germany also holds the view that the reservation made by Pakistan regarding article 7 of the Convention is likewise incompatible with the object and purpose of the Convention because for all matters which concern national security it reserves in a general and thus unspecific manner the right of the Government of Pakistan to apply the provisions only within the limits established by national laws, regulations and practices.

Bezwaar door Finland, 6 juni 1997

The reservations made by Pakistan, consisting of a general reference to religious and national law without specifying the contents thereof and without stating unequivocally the provisions the legal effect of which may be excluded or modified, do not clearly define to the other Parties of the Convention the extent to which the reserving State commits itself to the Convention and therefore creates serious doubts about the commitment of the reserving State to fulfill its obligations under the Convention. Reservations of such unspecified nature may contribute to undermining the basis of international human rights treaties.

The Government of Finland also recalls that the reservations of Pakistan are subject to the general principles of observance of treaties according to which a party may not invoke the provisions of its internal law as justification for failure to perform its treaty obligations. It is in the common interest of States that Parties to international treaties are prepared to take the necessary legislative changes in order to fulfil the object and purpose of the treaty. The Government of Finland considers that in their present formulation the reservations made by Pakistan are clearly incompatible with the object and purpose of the said Convention and therefore inadmissible under article 28, paragraph 2, of the said Convention. In view of the above, the Government of Finland objects to these reservations and notes that they are devoid of legal effect.

Bezwaar door **Nederlanden, het Koninkrijk der**, 30 mei 1997
 The Government of the Kingdom of the Netherlands considers [...] that such reservations, which seeks to limit the responsibilities of the reserving State under the Convention by invoking the general principles of national law and the Constitution, may raise doubts as to the commitment of this State to the object and purpose of the Convention and, moreover contribute to undermining the basis of international treaty law. It is in the common interest of States that treaties to which they have chosen to become parties should be respected, as to object and purpose, by all parties. The Government of the Kingdom of the Netherlands therefore objects to the above-mentioned reservations. This objection shall not preclude the entry into force of the Convention between the Kingdom of the Netherlands and Pakistan.

Bezwaar door Noorwegen, 6 juni 1997
 In the view of the Government of Norway, a reservation by which a State party limits its responsibilities under the Convention by invoking general principles of internal law may create doubts about the commitments of the reserving State to the object and purpose of the Convention and, moreover, contribute to undermine the basis of international treaty law. It is in the common interest of States that treaties to which they have chosen to become parties also are respected, as to their object and purpose, by all parties. Furthermore, under well established international treaty law, a State is not permitted to invoke internal law as justification for its failure to perform its treaty obligations. For these reasons, the Government of Norway objects to the reservations of Pakistan.

The Government of Norway does not consider this objection to constitute an obstacle to the entry into force of the above-stated Convention between the Kingdom of Norway and Pakistan.

Bezwaar door Oostenrijk, 5 juni 1997
 Austria is of the view that a reservation by which a State limits its responsibilities under the Convention in a general and unspecified manner by invoking internal law creates doubts as to the commitment of the Islamic Republic of Pakistan with its obligations under the Convention, essential for the fulfillment of its object and purpose.

It is in the common interests 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.

Austria is further of the view that a general reservation of the kind made by the Government of the Islamic Republic of Paki-

stan, which does not clearly specify the provisions of the Convention to which it applies and the extent of the derogation therefrom, contributes to undermining the basis of international treaty law.

Given the general character of this reservation a final assessment as to its admissibility under international law cannot be made without further clarification.

According to international law a reservation is inadmissible to the extent as its application negatively affects the compliance by a State with its obligations under the Convention essential for the fulfillment of its object and purpose.

Therefore, Austria cannot consider the reservation made by the Government of the Islamic Republic of Pakistan as admissible unless the Government of the Islamic Republic of Pakistan, by providing additional information or through subsequent practice, ensures that the reservation is compatible with the provisions essential for the implementation of the object and purpose of the Convention.

This view by Austria would not preclude the entry into force in its entirety of the Convention between Pakistan and Austria.

Bezwaar door Portugal, 23 juli 1997

Portugal is of the view that a general declaration of the kind made by Pakistan, constituting in fact in legal terms a general reservation, and not clearly specifying the provisions of the Convention to which it applies and the extent of the derogation therefrom, contributes to undermining the basis of international law.

Furthermore, according to paragraph 2 of article 28 of the Convention, a general reservation of such a kind is incompatible with the object and purpose of the Convention and shall not be permitted.

Portugal therefore objects to the aforesaid general reservation which will not preclude the entry into force of the Convention in its entirety between Pakistan and Portugal.

Bezwaar door Zweden, 13 augustus 1997

The Government of Sweden is of the view that these general reservations raise doubts as to the commitment of Pakistan to the object and purpose of the Convention and would recall that, according to article 28, paragraph 2, of the Convention, a reservation incompatible with the object and purpose of the Convention 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 is further of the view that general reservations of the kind made by the Government of Pakistan, which do not clearly specify the provisions of the Convention to which they apply and the extent of the derogation therefrom, contribute to undermining the basis of international treaty law.

The Government of Sweden therefore objects to the aforesaid general reservations made by the Government of Pakistan to the [said Convention].

This objection does not preclude the entry into force of the Convention between Pakistan and Sweden. The Convention will thus become operative between the two states without Pakistan benefiting from these reservations.

It is the opinion of the Government of Sweden, that no time limit applies to objections against reservations, which are inadmissible under international law.

Qatar, 29 april 2009

Reservations:

For the reasons explained below, the State of Qatar does not consider itself bound by the following provisions of the Convention:

1. Article 2 (a) in connection with the rules of the hereditary transmission of authority, as it is inconsistent with the provisions of article 8 of the Constitution.
2. Article 9, paragraph 2, as it is inconsistent with Qatar's law on citizenship.
3. Article 15, paragraph 1, in connection with matters of inheritance and testimony, as it is inconsistent with the provisions of Islamic law.
4. Article 15, paragraph 4, as it is inconsistent with the provisions of family law and established practice.
5. Article 16, paragraph 1 (a) and (c), as they are inconsistent with the provisions of Islamic law.
6. Article 16, paragraph 1 (f), as it is inconsistent with the provisions of Islamic law and family law. The State of Qatar declares that all of its relevant national legislation is conducive to the interest of promoting social solidarity.

[...]

Declarations

1. The Government of the State of Qatar accepts the text of article 1 of the Convention provided that, in accordance with the provisions of Islamic law and Qatari legislation, the phrase "irrespective of their marital status" is not intended to encourage family relationships outside legitimate marriage. It reserves the right to implement the Convention in accordance with this understanding.
2. The State of Qatar declares that the question of the modification of "patterns" referred to in article 5 (a) must not be understood as encouraging women to abandon their role as mothers and their role in child-rearing, thereby undermining the structure of the family.

3. In accordance with article 29, paragraph 2, of the Convention, the State of Qatar declares, under the terms of that text, that it does not consider itself bound by paragraph 1 of that article.

Bezwaar door België, 9 april 2010

Belgium has carefully examined the reservation formulated by Qatar when it acceded, on 29 April 2009, to the Convention on the Elimination of All Forms of Discrimination against Women. The reservations make the implementation of the Convention's provisions contingent upon their compatibility with the Islamic sharia and legislation in force in Qatar. This creates uncertainty as to which of its obligations under the Convention Qatar intends to observe and raises doubts as to Qatar's respect for the object and purpose of the Convention.

It is in the common interest for all parties to respect the treaties to which they have acceded and for States to be willing to enact such legislative amendments as may be necessary in order to fulfill their treaty obligations.

Belgium notes, moreover, that the reservations formulated with respect to article 9, paragraph 2; article 15, paragraphs 1 and 4; and article 16, paragraphs 1 (a), 1 (c) and 1 (f) concern fundamental provisions of the Convention and are therefore incompatible with the object and purpose of that instrument.

Belgium recalls that under article 28, paragraph 2, of the Convention, reservations incompatible with the object and purpose of the Convention are not permitted. In addition, under customary international law, as codified in the Vienna Convention on the Law of Treaties, a reservation incompatible with the object and purpose of a treaty is not permitted (article 19 (c)).

In consequence, Belgium objects to the reservation formulated by Qatar with respect to article 9, paragraph 2; article 15, paragraphs 1 and 4; and article 16, paragraphs 1 (a), 1 (c) and 1 (f) of the Convention on the Elimination of All Forms of Discrimination against Women.

This objection shall not preclude the entry into force of the Convention between the Kingdom of Belgium and Qatar.

Bezwaar door Estland, 29 april 2010

The Government of Estonia has carefully examined the reservations made on 29 April 2009 by the Government of the State of Qatar to Articles 2 (a), 9 (2), 15 (1), 15 (4), 16 (1) (a), 16 (1) (c) and 16 (1) (f) of the Convention.

The Government of Estonia wishes to recall that by acceding to the Convention, a State commits itself to eliminate discrimination against women in all its forms and manifestations thereby taking all appropriate measures to modify or abolish existing laws, regulations and practices which constitute such discrimination.

A reservation which consists of a general reference to national law without specifying its content does not clearly indicate to what extent the State of Qatar commits itself when acceding to the Convention and thus is contrary to the object and purpose of the Convention.

According to Article 28, paragraph 2 of the Convention as well as 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 Estonia therefore objects to the aforesaid reservations made by the Government of the State of Qatar to the Convention.

Notwithstanding, this objection shall not preclude the entry into force in its entirety of the Convention as between the Republic of Estonia and the State of Qatar.

Bezwaar door Finland, 29 april 2010

The Government of Finland has carefully examined the reservation made by Qatar upon accession to the Convention on the Elimination of All Forms of Discrimination against Women, done at New York on 18 December 1979.

The Government of Finland recalls that by acceding to the Convention on the Elimination of All Forms of Discrimination against Women, a State commits itself to adopt the measures required for the elimination of discrimination against women, in all its forms and manifestations. This includes taking appropriate measures, including legislation, to modify or abolish i.e. customs and practices which constitute discrimination against women.

The Government of Finland further recalls that under Article 28 of the Convention, reservations incompatible with the object and purpose of the Convention are not permitted, which is a general principle of treaty law codified in Article 19 (c) of the Vienna Convention on the Law of Treaties.

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 States 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 reserving State to fulfill 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 domestic law as justification for a failure to perform its treaty obligations.

The Government of Finland finds that the reservations made by Qatar to Articles 9 (2), 15 (1), 15 (4), 16 (1) (a) and (c) as well as Article 16 (1) (f) of the Convention address some of the most

essential provisions and aim at excluding the obligations to eliminate discrimination against women under those provisions. The Government considers that these reservations in practice lead to discrimination against women and finds them manifestly incompatible with the object and purpose of the Convention. The Government of Finland therefore objects to the said reservations made by Qatar. This objection shall not preclude the entry into force of the Convention between Qatar and Finland.

Bezwaar door Hongarije, 15 april 2010

The Government of the Republic of Hungary has examined the reservations made by the State of Qatar on 29 April 2009 upon accession to the Convention on the Elimination of All Forms of Discrimination against Women of 18 December 1979. The reservations state that the State of Qatar does not consider itself bound by Article 2 (a), Article 9 (2), Article 15 (1), Article 15 (4) and Article 16, subparagraphs (a), (c) and (f) of the Convention.

The Government of the Republic of Hungary is of the opinion that the reservations to Article 2 (a), Article 9 (2), Article 15 (1), Article 15 (4) and Article 16, subparagraphs (a), (c) and (f) will unavoidably result in a legal situation that discriminates against women, which is incompatible with the object and purpose of the Convention.

Pursuant to Article 28 (2) of the Convention, reservations that are incompatible with the object and purpose of the Convention shall not be permitted.

The Government of the Republic of Hungary therefore objects to the above-mentioned reservations. This objection shall not preclude the entry into force of the Convention between the Republic of Hungary and the State of Qatar.

Bezwaar door Ierland, 28 april 2010

Qatar upon accession to the Convention on the Elimination of All Forms of Discrimination against Women.

The Government of Ireland believes that the reservations to article 2 (a), article 9 paragraph 2, article 15 paragraph 1, article 15 paragraph 4, article 16 paragraph 1 (a) and (c), article 16 paragraph 1 (f) and declarations to article 1 and 5 (a), if put into practice, would inevitably result in discrimination against women on the basis of sex. Such reservations seek to exclude the State of Qatar from implementing key provisions of the Convention in their jurisdiction which are necessary to achieve its object and purpose.

The Government of Ireland recalls that according to article 28 paragraph 2 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

The Government of Ireland is further of the view that a reservation which consists of a general reference to religious law without specifying the content thereof or the extent to which it requires the State to derogate from the cited provisions of the Convention, may cast doubts on the commitment of the reserving State to fulfill its obligations under the Convention. The Government of Ireland is furthermore of the view that such a general reservation may undermine the basis of international treaty law. The Government of Ireland therefore objects to the aforesaid reservations made by the State of Qatar to the Convention on the Elimination of All Forms of Discrimination against Women. This objection shall not preclude the entry into force of the Convention between Ireland and the State of Qatar.

Bezwaar door Italië, 15 april 2010

The Government of Italy has carefully examined the reservations made by the State of Qatar upon accession to the above Convention.

The reservations state that Qatar does not consider itself bound by Article 9 paragraph 2, Article 15 paragraph 14 and Article 16. The Government of Italy finds that the aforementioned reservations would unavoidably result in a legal situation that discriminates against women, which would be incompatible with the object and purpose of the Convention.

The Government of Italy would like to recall that according to Article 28 paragraph 2 of the Convention as well as customary international law as codified in the Vienna Convention on the Law of Treaties, a reservation incompatible with the object and purpose shall not be permitted.

Moreover, Articles 2 and 16 are considered to be core provisions of the Convention, and their observance is necessary in order to achieve its purpose. Neither traditional, religious or cultural practice nor incompatible domestic laws and policies can justify violations of the Convention.

For these reasons, the Government of Italy objects to the aforementioned reservations made by the State of Qatar to the Convention on the Elimination of All Forms of Discrimination against Women.

This position however does not preclude the entry into force of the Convention between the State of Qatar and Italy.

Bezwaar door Letland, 28 januari 2010

The Government of the Republic of Latvia has carefully examined the reservations made by the State of Qatar to the Convention on the elimination of All Forms of Discrimination against Women (hereinafter -the Convention) upon accession to the Convention regarding Article 2 paragraph (a), Article 9 paragraph 2,

Article 15 paragraph 1 and 4, Article 16 paragraph 1 (a), 1 (c) and 1 (f).

The Government of the Republic of Latvia considers that Article 2 of the Convention sets out the object and purpose of the Convention – to grant the equality between men and women. Therefore, no reservations should be allowed to the said Article. Moreover, the reservation submitted by the State of Qatar is drafted in a very unclear manner. It does not make clear whether the State of Qatar has deemed not to grant the equality between genders only regarding the inheritance of the Rule of State as it is prescribed by Article 8 of the Constitution of the State of Qatar or Qatar has deemed not to grant the equality between genders in all laws of the State and other articles of the Constitution.

The Government of the Republic of Latvia is willing to stress that the object of the said Convention is to grant the equality between men and women and therefore the distinction between genders regarding the rights to determine the nationality of children is not in line with the object and purpose of the Convention. The reservation submitted by the State of Qatar regarding the provisions of the Convention granting the equality before the law due to the reasons mentioned above could not be considered in line with the object and purpose of the Convention.

The Government of the Republic of Latvia is emphasizing that the rights to determine human's own domicile is a part of the free movement of person and therefore is very important part of human rights and, thus no limitations may be permitted to the said right.

Moreover, the Government of the Republic of Latvia believes that any person is entitled to fully enjoy the human rights and the marriage cannot restrict the human rights which the person is entitled to have.

Therefore, the Government of the Republic of Latvia has the opinion that the reservations made by the State of Qatar contradict to the object and purpose of the Convention and in particular to the obligations of all States Parties to pursue by all appropriate means and without delay a policy of eliminating the discrimination against women.

Moreover, the Government of the Republic of Latvia recalls Part VI, Article 28 of the Convention setting out that the reservations incompatible with the object and purpose of the Convention are not permitted.

Therefore, the Government of the Republic of Latvia objects to all reservations made by the State of Qatar to the Convention on the Elimination of All Forms of Discrimination against Women. However, this objection shall not preclude the entry into force of the Convention between the Republic of Latvia and the State of Qatar. Thus, the Convention will become operative without the

State of Qatar benefiting from its reservation.

Bezwaar door Mexico, 10 mei 2010

The United Mexican States has examined the reservations made by Qatar to articles 2, 9, 15 and 16, and has concluded that they should be considered invalid in the light of article 28, paragraph 2, of the Convention because they are incompatible with its object and purpose. The said reservations, if implemented, would inevitably result in discrimination against women on the basis of sex, which is contrary to all the articles of the Convention.

The objection of the Government of the United Mexican States to the reservations in question shall not preclude the entry into force of the Convention between the United Mexican States and Qatar.

Bezwaar door **Nederlanden, het Koninkrijk der**, 5 mei 2010

The Government of the Kingdom of the Netherlands has examined the declarations and reservations made by the State of Qatar upon accession to the Convention on the Elimination of All Forms of Discrimination against Women.

It is the understanding of the Government of the Kingdom of the Netherlands that the declarations of the State of Qatar concerning articles 1 and 5(a) of the Convention do not exclude or modify the legal effect of the provisions of the Convention in their application to the State of Qatar and that these declarations do not affect the principle of equality of men and women which is fundamental to the Convention.

The Government of the Kingdom of the Netherlands considers that with its reservations to articles 9(2), 15(1), 15(4), 16(1)(a) and (c) and 16(1)(f) the State of Qatar has made the application of essential obligations under the Convention concerning central themes such as nationality, equality with men before the law, free movement and residence and marriage and family life subject to Islamic law and/or domestic law or practice in force in the State of Qatar. This makes it unclear to what extent the State of Qatar considers itself bound by the obligations of the treaty and raises concerns as to the commitment of the State of Qatar to the object and purpose of the Convention.

The Government of the Kingdom of the Netherlands considers that reservations of this kind must be regarded as incompatible with the object and purpose of the Convention and would recall that, according to article 28(2) of the Convention, reservations incompatible with the object and purpose of the Convention shall not be permitted.

The Government of the Kingdom of the Netherlands therefore objects to the aforesaid reservations made by the State of Qatar to the Convention.

This objection does not constitute an obstacle to the entry into force of the Convention between the Kingdom of the Netherlands and the State of Qatar.

Bezwaar door Noorwegen, 6 mei 2010

The Government of Norway finds that the reservations to article 2 (a), article 9, paragraph 2, article 15, paragraphs 1 and 4 and article 16, paragraph 1 (a), (c) and (f) affect essential obligations arising from the Convention, obligations whose observance is necessary in order to achieve the purpose of the Convention. The Government of Norway recalls that, according to article 28, paragraph 2 of the Convention, as well as customary international law as codified in the Vienna Convention on the Law of Treaties article 19, paragraph (c), a reservation incompatible with the object and purpose of a treaty shall not be permitted. The Government of Norway considers that the reservations made by the State of Qatar are so extensive as to be contrary to the object and purpose of the Convention. For these reasons, the Government of Norway objects to reservations Nos. 1-6 made by the State of Qatar.

This objection does not preclude the entry into force in its entirety of the Convention between the Kingdom of Norway and the State of Qatar. The Convention thus becomes operative between the Kingdom of Norway and the State of Qatar without the State of Qatar benefiting from the aforesaid reservations.

Bezwaar door Oostenrijk, 12 februari 2010

The Government of Austria has examined the reservations made by the State of Qatar upon accession to the Convention on the Elimination of All Forms of Discrimination against Women.

The Government of Austria finds that the reservations to article 9 paragraph 2, article 15 paragraphs 2 and 4, article 16 paragraphs 1a, 1c and 1f would inevitably result in discrimination against women on the basis of sex. These reservations affect essential obligations arising from the Convention and their observance is necessary in order to achieve the purpose of the Convention.

The Government of Austria would like to recall that, according to article 28 paragraph 2 of the Convention as well as customary international law as codified in the Vienna Convention on the Law of Treaties (article 19 sub-paragraph c), a reservation 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.

For these reasons, the Government of Austria objects to the aforementioned reservations made by the State of Qatar to the Convention on the Elimination of All Forms of Discrimination against Women.

This position however does not preclude the entry into force in its entirety of the Convention between the State of Qatar and Austria.

Bezwaar door Polen, 6 mei 2010

The Government of the Republic of Poland has examined the reservations made by the State of Qatar upon accession to the Convention on the Elimination of All Forms of Discrimination against Women, adopted by General Assembly of the United Nations on December 18, 1979, with regard to Articles 2(a), 9(2), 15(1), 15(4), 16(1)(a) and (c) and 16 (1)(f) and 29 (2) and the declarations made by this State with respect to Articles 1 and 5(a) of the Convention.

The Government of the Republic of Poland is of the view that, if put into practice, the reservations and declarations made by the State of Qatar, especially when taking into account the vast area of life which they affect, will considerably limit the ability of women to benefit from the rights guaranteed to them by the Convention which are related to essential sphere of life, e.g. equality of men and women before the law, nationality of children, family relations and freedom to choose their residence and domicile. Thus, the Government of the Republic of Poland considers the reservations and declarations made by the State of Qatar (except for the reservations regarding Article 2(a) and Article 29(2) of the Convention) as incompatible with the object and purpose of the Convention which is the elimination of the discrimination against women in all spheres. Therefore, according to Article 28(2) of the Convention and Article 19(c) of the Vienna Convention on the Law of Treaties, the reservations and declarations shall not be permitted.

In order to justify its will to exclude the legal consequences of certain provisions of the Convention, the State of Qatar raised in its reservations the inconsistency of these provisions with its domestic legislation. The Government of the Republic of Poland recalls that, according to Article 27 of the Vienna Convention on the Law of Treaties, the State Party to an international agreement may not invoke the provisions of its internal law as justification for its failure to perform a treaty. On the contrary, it should be deemed a rule that a State Party adjusts its internal law to the treaty which it decides to be bound by.

Furthermore, the State of Qatar refers in its reservations to the Islamic law and "established practice" which may be applied in course of the implementation of the Convention. However, it

does not specify their exact content. As a consequence these 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.

Therefore, the Government of the Republic of Poland objects to the reservations made by the State of Qatar upon accession to the Convention on the Elimination of All Forms of Discrimination against Women, adopted by General Assembly of the United Nations on 18 December 1979, with regard to Articles 9(2), 15(1), 15(4), 16(1)(a) and (c) and 16(1)(f) of the Convention.

This objection does not preclude the entry into force of the Convention between the Republic of Poland and the State of Qatar.

Bezwaar door Portugal, 10 mei 2010

The Government of the Portuguese Republic considers that the reservations are incompatible with the object and purpose of the Convention, insofar as they disregard fundamental principles that shape the core of the Convention.

According to international law, a reservation which is incompatible with the object and purpose of a treaty shall not be permitted. The Government of the Portuguese Republic therefore objects to the aforesaid reservations made by the Government of the State of Qatar on 29 April 2009 upon its accession to the Convention on the Elimination of all Forms of Discrimination against Women. This objection shall not preclude the entry into force of the Convention on the Elimination of all Forms of Discrimination against Women between the Portuguese Republic and the State of Qatar.

Bezwaar door Roemenië, 14 april 2010

The Government of Romania has carefully considered the reservations made by Qatar upon accession to the Convention on the Elimination of all Forms of Discrimination against Women (New York, 18 December 1979) and regards the reservations made to Article 9 paragraph 2, Article 15 paragraph 1 and paragraph 4 and Article 16, [paragraph 1] (a), (c) and (f) as incompatible with the object and purpose of the Convention, since they maintain a certain form of discrimination against women and, implicitly, perpetuate the inequality of rights between men and women. These reservations are contrary to Article 28, paragraph 2 of the Convention, which prohibits reservations incompatible with the object and purpose of the Convention.

Consequently, the Government of Romania objects to the aforementioned reservations made by Qatar to the Convention on the Elimination of all Forms of Discrimination against Women. This objection shall not preclude the entry into force of the Convention, in its entirety, between Romania and Qatar.

Bezwaar door Slowakije, 28 juli 2009

The Government of the Slovak Republic has carefully examined the reservations and declarations formulated by the State of Qatar upon its accession to the Convention on the Elimination of All Forms of Discrimination against Women, adopted on 18 December 1979 in New York, according to which:

[...]

The Government of the Slovak Republic finds the reservations to article 2 (a), article 9, paragraph 2, article 15, paragraph 1, article 15, paragraph 4, article 16, paragraph 1 (a) and (c), article 16, paragraph 1 (f) and declarations to article 1 and article 5 (a), if put into practice, would inevitably result in discrimination against women on the basis of sex, which is incompatible with the object and purpose of the Convention and is therefore inadmissible under article 19 (c) of the Vienna Convention on the Law of Treaties.

Therefore it shall not be permitted, in accordance with article 28, paragraph 2 of the Convention on the Elimination of All Forms of Discrimination Against Women.

For these reasons, the Government of the Slovak Republic objects to the above mentioned reservations and declarations made by the State of Qatar upon accession to the Convention on the Elimination of All Forms of Discrimination Against Women.

This objection shall not preclude the entry into force of the Convention on the Elimination of All Forms of Discrimination Against Women between the Slovak Republic and the State of Qatar. The Convention on the Elimination of All Forms of Discrimination Against Women enters into force in its entirety between the Slovak Republic and the State of Qatar, without the State of Qatar benefiting from its reservations and declarations.

Bezwaar door Spanje, 13 november 2009

The Government of the Kingdom of Spain has examined the reservations made by Qatar upon its accession to the Convention on the Elimination of All Forms of Discrimination against Women with respect to article 9, paragraph 2, article 15, paragraphs 1 and 4, and article 16, paragraph 1 (a), (c) and (f) of the Convention, as well as the declarations made with respect to articles 1 and 5 (a) of the Convention.

The Government of the Kingdom of Spain believes that the aforementioned declarations relating to articles 1 and 5 (a) have no legal force and in no way exclude or modify the obligations assumed by Qatar under the Convention.

The Government of the Kingdom of Spain believes that the reservations made with respect to article 9, paragraph 2, article 15, paragraphs 1 and 4, and article 16, paragraph 1 (a), (c) and (f) are incompatible with the object and purpose of the Convention,

since their intent is to exempt Qatar from committing itself to the elimination of specific forms of discrimination against women in such areas as nationality, equality with men before the law, free movement and residence, the right to enter into marriage, the matrimonial regime and filiation rights. These reservations affect essential obligations arising from the Convention and their observance is necessary in order to achieve the purpose of the Convention.

The Government of the Kingdom of Spain recalls that, according to article 28, paragraph 2, of the Convention, reservations that are incompatible with the object and purpose of the Convention shall not be permitted.

The Government of the Kingdom of Spain also believes that the reservations made by Qatar, which are based on inconsistency with Islamic law and incompatibility with existing domestic legislation, to which a general reference is made without specifying their contents, in no way excludes the legal effects of the obligations arising from the relevant provisions of the Convention.

Accordingly, the Government of the Kingdom of Spain objects to the reservations made by Qatar with respect to article 9, paragraph 2, article 15, paragraphs 1 and 4, and article 16, paragraph 1(a), (c) and (f) of the Convention on the Elimination of All Forms of Discrimination against Women.

This objection shall not preclude the entry into force of the Convention between the Kingdom of Spain and Qatar.

Bezwaar door Tsjechië, 10 november 2009

The Czech Republic has examined the reservations and declarations made by the State of Qatar upon accession to the Convention on the Elimination of All Forms of Discrimination against Women.

The Czech Republic believes that the reservations No. 2 – 6 of the State of Qatar made to Articles 9(2), 15(1), 15(4), 16(1)(a) and (c) and 16(1)(f) of the Convention, if put into practice, would inevitably result in discrimination against women on the basis of sex, which is contrary to the object and purpose of the Convention. Furthermore, the State of Qatar supports these reservations by references to its domestic law, which is, in the opinion of the Czech Republic, unacceptable under customary international law, as codified in Article 27 of the Vienna Convention on the Law of Treaties. Finally, the reservations No. 3 – 6, that refer to the notions such as “Islamic law” and “established practice” without specifying its contents, 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.

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. According to Article 28 paragraph 2 of the Convention and 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.

The Czech Republic, therefore, objects to the aforesaid reservations made by the State of Qatar to the Convention. This objection shall not preclude the entry into force of the Convention between the Czech Republic and the State of Qatar. The Convention enters into force in its entirety between the Czech Republic and the State of Qatar, without the State of Qatar benefiting from its reservation.

Bezwaar door Zweden, 7 mei 2010

The Government of Sweden considers that the reservations made with respect to articles 9 (2), 15 (1), 15 (4) and 16 (1 a, c, f) would, if put into practice, inevitably result in discrimination against women on the basis of sex, which is contrary to the object and purpose of the Convention. It should be borne in mind that the principles of the equal rights of women and men and of non-discrimination on the basis of sex are set forth in the Charter of the United Nations as one of the purposes of the organization, and are enshrined in the Universal Declaration of Human Rights of 1948.

The Government of Sweden notes that the reservations made by the State of Qatar would give precedence to the provisions of the national Constitution and legislation as well as to the provisions of Islamic law and established practice. The Government of Sweden is of the belief that these reservations, which do not clearly specify the extent of the derogation by the State of Qatar from the provisions in question, raises serious doubt as to the commitment of the State of Qatar to the object and purpose of the Convention.

According to Article 28 (2) of the Convention and to international customary law, as codified in the Vienna Convention on the Law of Treaties, reservations incompatible with the object and purpose of a Convention 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 obligation under the treaties.

The Government of Sweden therefore objects to the aforesaid reservations made by the State of Qatar to the Convention of

Elimination of All Forms of Discrimination against Women and considers them null and void.

This objection does not preclude the entry into force of the Convention between the State of Qatar and Sweden. The Convention shall enter into force in its entirety between the two States without Qatar benefiting from its reservations.

It is the understanding of the Government of Sweden that the declarations of the State of Qatar concerning articles 1 and 5 (a) of the Convention do not exclude or modify the legal effect of the provisions of the Convention in their application to Qatar and that these declarations do not affect the principle of equality of men and women which is fundamental to the Convention.

Saudi-Arabië, 7 september 2000

1. In case of contradiction between any term of the Convention and the norms of Islamic law, the Kingdom is not under obligation to observe the contradictory terms of the Convention.

2. The Kingdom does not consider itself bound by paragraph 2 of article 9 of the Convention and paragraph 1 of article 29 of the Convention.

Bezwaar door Denemarken, 10 augustus 2001

The Government of Denmark has examined the reservations made by the Government of Saudi Arabia upon ratification on the Convention on the Elimination of All Forms of Discrimination Against Women as to any interpretation of the provisions of the Convention that is incompatible with the norms of Islamic law. The Government of Denmark finds that the general reservation with reference to the provisions of Islamic law are of unlimited scope and undefined character. Consequently, the Government of Denmark considers the said reservations as being incompatible with the object and purpose of the Convention and accordingly inadmissible and without effect under international law.

The Government of Denmark furthermore notes that the reservation to paragraph 2 of article 9 of the Convention aims to exclude one obligation of non-discrimination which is the aim of the Convention and therefore renders this reservation contrary to the essence of the Convention.

The Government of Denmark therefore objects to the aforesaid reservations made by the Government of the Kingdom of Saudi Arabia to the Convention on Elimination of All Forms of Discrimination against Women.

These objections shall not preclude the entry into force of the Convention in its entirety between Saudi Arabia and Denmark.

The Government of Denmark recommends the Government of Saudi Arabia to reconsider its reservations to the Convention on the Elimination of All Forms of Discrimination against Women.

Bezwaar door Duitsland, 19 januari 2001

The Government of the Federal Republic of Germany is of the view that the reservation, with regard to compatibility of CEDAW rules with Islamic law, raises doubts as to the commitment of the Kingdom of Saudi Arabia to CEDAW. The Government of the Federal Republic of Germany considers this reservation to be incompatible with the object and purpose of the Convention.

The Government of the Federal Republic of Germany notes furthermore that the reservation to Paragraph 2 of article 9 of CEDAW aims to exclude one obligation of non-discrimination which is so important in the context of CEDAW as to render this reservation contrary to the essence of the Convention.

The Government of the Federal Republic of Germany therefore objects to the aforesaid reservations made by the Government of the Kingdom of Saudi Arabia to the Convention on Elimination of all Forms of Discrimination against Women.

This objection does not preclude the entry into force of the Convention between the Federal Republic of Germany and the Kingdom of Saudi Arabia.

Bezwaar door Finland, 8 oktober 2002

The Government of Finland has examined the contents of the reservations made by the Government of Saudi Arabia to the Convention on the Elimination of all Forms of Discrimination Against Women.

The Government of Finland recalls that by acceding to the Convention, a State commits itself to adopt the measures required for the elimination of discrimination, in all its forms and manifestations, against women.

A reservation which consists of a general reference to religious law and national law without specifying its contents, as the first part of the reservation made by Saudi Arabia, does not clearly define to other Parties to the Convention the extent to which the reserving State commits itself to the Convention and therefore creates serious doubts as to the commitment of the reserving State to fulfil its obligations under the Convention.

Furthermore, reservations are 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.

As the reservation to Paragraph 2 of Article 9 aims to exclude one of the fundamental obligations under the Convention, it is the view of the Government of Finland that the reservation is not compatible with the object and purpose of the Convention.

The Government of Finland also recalls Part VI, Article 28 of the Convention according to which reservations incompatible with the object and purpose of the Convention are not permitted.

The Government of Finland therefore objects to the above-mentioned reservations made by the Government of Saudi Arabia to the Convention.

This objection does not preclude the entry into force of the Convention between Saudi Arabia and Finland. The Convention will thus become operative between the two States without Saudi Arabia benefiting from the reservations.

Bezwaar door Frankrijk, 26 juni 2001

The Government of the French Republic has examined the reservations made by the Government of the Kingdom of Saudi Arabia to the Convention on the Elimination of All Forms of Discrimination against Women, adopted in New York on 18 December 1979. By stating that in case of contradiction between any term of the Convention and the norms of Islamic law, it is not under obligation to observe the terms of the Convention, the Kingdom of Saudi Arabia formulates a reservation of general, indeterminate scope that gives the other States parties absolutely no idea which provisions of the Convention are affected or might be affected in future. The Government of the French Republic believes that the reservation could make the provisions of the Convention completely ineffective and therefore objects to it. The second reservation, concerning article 9, paragraph 2, rules out equality of rights between men and women with respect to the nationality of their children and the Government of the French Republic therefore objects to it.

These objections do not preclude the Convention's entry into force between Saudi Arabia and France. The reservation rejecting the means of dispute settlement provided for in article 29, paragraph 1, of the Convention is in conformity with the provisions of article 29, paragraph 2.

Bezwaar door Ierland, 2 oktober 2001

The Government of Ireland has examined the reservation made, on 7 September 2000, by the Government of the Kingdom of Saudi Arabia to the Convention on the Elimination of All Forms of Discrimination Against Women, in respect of any divergence between the terms of the Convention and the norms of Islamic law. It has also examined the reservation made on the same date by the Government of the Kingdom of Saudi Arabia to Article 9, paragraph 2 of the Convention concerning the granting to women of equal rights with men with respect to the nationality of their children.

As to the former of the aforesaid reservations, the Government of Ireland is of the view that a reservation which consists of a general reference to religious law without specifying the content thereof and which does not clearly specify the provisions of the

Convention to which it applies and the extent of the derogation therefrom, may cast doubts on the commitment of the reserving State to fulfil its obligations under the Convention. The Government of Ireland is furthermore of the view that such a general reservation may undermine the basis of international treaty law. As to the reservation to Article 9, paragraph 2 of the Convention, the Government of Ireland considers that such a reservation aims to exclude one obligation of non-discrimination which is so important in the context of the Convention on the Elimination of All Forms of Discrimination Against Women as to render this reservation contrary to the essence of the Convention. The Government of Ireland notes in this connection that Article 28, paragraph 2 of the Convention provides that a reservation incompatible with the object and purpose of the Convention shall not be permitted.

The Government of Ireland moreover recalls that by ratifying the Convention, a State commits itself to adopt the measures required for the elimination of discrimination, in all its forms and manifestations, against women.

The Government of Ireland therefore objects to the aforesaid reservations made by the Government of the Kingdom of Saudi Arabia to the Convention on the Elimination of All Forms of Discrimination Against Women.

This objection shall not preclude the entry into force of the Convention between Ireland and the Kingdom of Saudi Arabia.

Bezwaar door **Nederlanden, het Koninkrijk der**, 18 september 2001

The Government of the Kingdom of the Netherlands has examined the reservations made by the Government of Saudi Arabia at the time of its [ratification of] the Convention on the Elimination of All Forms of Discrimination against Women.

The Government of the Kingdom of the Netherlands considers that the reservation concerning the national law of Saudi Arabia, which seeks to limit the responsibilities of the reserving State under the Convention by invoking national law, may raise doubts as to the commitment of this State to the object and purpose of the Convention and, moreover, contribute to undermining the basis of international treaty law.

The Government of the Kingdom of the Netherlands furthermore considers that the reservation made by Saudi Arabia regarding article 9, paragraph 2, of the Convention is incompatible with the object and purpose of the Convention. The Government of the Kingdom of the Netherlands recalls that according to paragraph 2 of Article 28 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

It is in the common interest of States that treaties to which they have chosen to become party should be respected, as to object and purpose, by all parties. The Government of the Kingdom of the Netherlands therefore objects to the aforesaid reservations made by the Government of Saudi Arabia to the Convention on the Elimination of All Forms of Discrimination against Women. This objection shall not preclude the entry into force of the Convention between the Kingdom of the Netherlands and Saudi Arabia.

Bezwaar door Noorwegen, 9 oktober 2001

The Government of Norway has examined the contents of the reservation made by the Government of the Kingdom of Saudi Arabia upon ratification of the Convention on the Elimination of all forms of Discrimination Against Women.

According to paragraph 1 of the reservation, the norms of Islamic Law shall prevail in the event of conflict with the provisions of the Convention. It is the position of the Government of Norway that, due to its unlimited scope and undefined character, this part of the reservation is contrary to object and purpose of the Convention.

Further, the reservation to Article 9, paragraph 2, concerns one of the core provisions of the Convention, and which aims at eliminating discrimination against women. The reservation is thus incompatible with the object and purpose of the Convention. For these reasons, the Government of Norway objects to paragraph 1 and the first part of paragraph 2 of the reservation made by Saudi Arabia, as they are impermissible according to Article 28, paragraph 2 of the Convention.

This objection does not preclude the entry into force in its entirety of the Convention between the Kingdom of Norway and the Kingdom of Saudi Arabia. The Convention thus becomes operative between Norway and Saudi Arabia without Saudi Arabia benefiting from the said parts of the reservation.

Bezwaar door Oostenrijk, 21 augustus 2001

Austria has examined the reservations to the Convention on the Elimination of All Forms of Discrimination against Women made by the Government of the Kingdom of Saudi Arabia in its note to the Secretary-General of 7 September 2000.

The fact that the reservation concerning any interpretation of the provisions of the Convention that is incompatible with the norms of Islamic law does not clearly specify the provisions of the Convention to which it applies and the extent of the derogation therefrom raises doubts as to the commitment of the Kingdom of Saudi Arabia to the Convention.

Given the general character of this reservation a final assessment as to its admissibility under international law cannot be made without further clarification. Until the scope of the legal effects of this reservation is sufficiently specified by the Government of Saudi Arabia, Austria considers the reservation as not affecting any provision the implementation of which is essential to fulfilling the object and purpose of the Convention. In Austria's view, however, the reservation in question is inadmissible to the extent that its application negatively affects the compliance by Saudi Arabia with its obligations under the Convention essential for the fulfilment of its object and purpose. Austria does not consider the reservation made by the Government of Saudi Arabia as admissible unless the Government of Saudi Arabia, by providing additional information or through subsequent practice, ensures that the reservation is compatible with the provisions essential for the implementation of the object and purpose of the Convention. As to the reservation to Paragraph 2 of Article 9 of the Convention Austria is of the view that the exclusion of such an important provision of non-discrimination is not compatible with object and purpose of the Convention. Austria therefore objects to this reservation.

This position, however, does not preclude the entry into force in its entirety of the Convention between Saudi Arabia and Austria.

Bezwaar door Portugal, 18 juli 2001

The Government of the Portuguese Republic has examined the reservation made on 7 September by the Government of the Kingdom of Saudi Arabia to the Convention on the Elimination of All Forms of Discrimination against Women (New York, 18 December 1979), regarding any interpretation of the provisions of the Convention that is incompatible with the precept of Islamic law and the Islamic religion. It has also examined the reservation to article 9.2 of the Convention.

The Government of the Portuguese Republic is of the view that the first reservation refers in general terms to the Islamic law, failing to specify clearly its content and, therefore, leaving the other State parties with doubts as to the real extent of the Kingdom of Saudi Arabia's commitment to the Convention.

Furthermore, it also considers the reservation made by the Government of the Kingdom of Saudi Arabia incompatible with the objective and purpose of the aforesaid Convention, for it refers to the whole of the Convention, and it seriously limits or even excludes its application on a vaguely defined basis, such as the global reference to the Islamic law.

Regarding the reservation to article 9.2, the Government of the Portuguese Republic is of the view that the said reservation

intends to exclude one of the obligations of non-discrimination, which is the essence of the Convention.

Therefore, the Government of the Portuguese Republic objects to the aforementioned reservations made by the Government of the Kingdom of Saudi Arabia to the Convention on the Elimination of All Forms of Discrimination against Women.

This objection shall not preclude the entry into force of the Convention between the Portuguese Republic and the Kingdom of Saudi Arabia.

Bezwaar door Spanje, 22 februari 2001

The Government of the Kingdom of Spain has examined the reservation made by the Government of the Kingdom of Saudi Arabia to the Convention on the Elimination of All Forms of Discrimination against Women on [7] September 2000, regarding any interpretation of the Convention that may be incompatible with the norms of Islamic law and regarding article 9, paragraph 2.

The Government of the Kingdom of Spain considers that the general reference to Islamic law, without specifying its content, creates doubts among the other States parties about the extent to which the Kingdom of Saudi Arabia commits itself to fulfil its obligations under the Convention.

The Government of the Kingdom of Spain is of the view that such a reservation by the Government of the Kingdom of Saudi Arabia is incompatible with the object and purpose of the Convention, since it refers to the Convention as a whole and seriously restricts or even excludes its application on a basis as ill-defined as the general reference to Islamic law.

Furthermore, the reservation to article 9, paragraph 2, aims at excluding one of the obligations concerning non-discrimination, which is the ultimate goal of the Convention.

The Government of the Kingdom of Spain recalls that according to article 28, paragraph 2, of the Convention, reservations that are incompatible with the object and purpose of the Convention shall not be permitted.

Therefore, the Government of the Kingdom of Spain objects to the said reservations by the Government of the Kingdom of Saudi Arabia to the Convention on the Elimination of All Forms of Discrimination against Women.

This objection shall not preclude the entry into force of the Convention between the Kingdom of Spain and the Kingdom of Saudi Arabia.

Bezwaar door Verenigd Koninkrijk, 6 september 2001

[...] refer to the reservation [...]

The Government of the United Kingdom note that a reservation which consists of a general reference to national law without specifying its contents does not clearly define for 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 reservation made by the Government [of] the Kingdom of the Saudi Arabia.

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

Bezwaar door Zweden, 30 maart 2001

The Government of Sweden has examined the reservation made by the Government of the Kingdom of Saudi Arabia at the time of its ratification of the Convention on the Elimination of All Forms of Discrimination against Women, as to any interpretation of the provisions of the Convention that is incompatible with the norms of Islamic law.

The Government of Sweden is of the view that this general reservation, which does not clearly specify the provisions of the convention to which it applies and the extent of the derogation therefrom, raises doubts as to the commitment of the Kingdom of Saudi Arabia to the object and purpose of the Convention.

It is in the common interest of States that treaties to which they have been chosen to become parties are respected as to their object and purpose, and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties. According to customary 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 Sweden therefore objects to the aforesaid general reservation made by the Government of the Kingdom of Saudi Arabia to the Convention on the Elimination of All Forms of Discrimination against Women.

This shall not preclude the entry into force of the Convention between the Kingdom of Saudi Arabia and the Kingdom of Sweden, without the Kingdom of Saudi Arabia benefiting from the said reservation.

Singapore, 5 oktober 1995

1. In the context of Singapore's multiracial and multi-religious society and the need to respect the freedom of minorities to practice their religious and personal laws, the Republic of Singapore reserves the right not to apply the provisions of article 2, paragraphs (a) to (f), and article

16, paragraphs 1(a), 1(c), 1(h), and article 16, paragraph 2, where compliance with these provisions would be contrary to their religious or personal laws.

2. [...]

3. Singapore interprets article 11, paragraph 1 in the light of the provisions of article 4, paragraph 2 as not precluding prohibitions, restrictions or conditions on the employment of women in certain areas, or on work done by them where this is considered necessary or desirable to protect the health and safety of women or the human foetus, including such prohibitions, restrictions or conditions imposed in consequence of other international obligations of Singapore and considers that legislation in respect of article 11 is unnecessary for the minority of women who do not fall within the ambit of Singapore's employment legislation.

4. The Republic of Singapore declares, in pursuance of article 29, paragraph 2 of the Convention that it will not be bound by the provisions of article 29, paragraph 1.

Bezwaar door Denemarken, 12 februari 1997

The Government of Denmark finds that the said reservations are covering central provisions of the Convention. Furthermore it is a general principle of international law that internal law may not be invoked as justification for failure to perform treaty obligations. The Government of Denmark finds that the reservations are incompatible with the object and purpose of the Convention and accordingly inadmissible and without effect under international law. Consequently, the Government of Denmark objects to these reservations.

It is the opinion of the Government of Denmark that no time limit applies to objections against reservations, which are inadmissible under international law.

The Convention remains in force in its entirety between Singapore and Denmark.

The Government of Denmark recommends the Government of Singapore to reconsider its reservations to the [said] Convention.

Bezwaar door Finland, 21 november 1996

The reservations made by Singapore, consisting of a general reference to religious and national law without specifying the contents thereof and without stating unequivocally the provisions the legal effect of which may be excluded or modified, do not clearly define to the other Parties of the Convention the extent to which the reserving State commits itself to the Convention and therefore creates serious doubts about the commitment of the reserving State to fulfill its obligations under the Convention. Reservations of such unspecified nature may contribute to undermining the basis of international human rights treaties.

The Government of Finland also recalls that the reservations of Singapore are subject to the general principles of observance of treaties according to which a party may not invoke the provisions of its internal law as justification for failure to perform its treaty obligations. It is in the common interest of States that Parties to international treaties are prepared to take the necessary legislative changes in order to fulfil the object and purpose of the treaty. Furthermore, the reservations made by Singapore, in particular to articles 2 (f) and 5 (a), are two fundamental provisions of the Convention the implementation of which is essential to fulfilling its object and purpose.

The Government of Finland considers that in their present formulation the reservations made by Singapore are clearly incompatible with the object and purpose of the said Convention and therefore inadmissible under article 28, paragraph 2, of the said Convention. In view of the above, the Government of Finland objects to these reservations and notes that they are devoid of legal effect.

Bezwaar door **Nederlanden, het Koninkrijk der**, 20 november 1996

The Government of the Kingdom of the Netherlands [...] considers:

- that the reservation under (1) is incompatible with the purpose of the Convention;
- [...]
- that the reservation under (3), particularly the last part “...and considers that legislation in respect of article 11 is unnecessary for the minority of women who do not fall within the ambit of Singapore’s employment legislation” is a reservation, which seeks to limit the responsibilities of the reserving State under the Convention by invoking the general principles of its national law, and in this particular case to exclude the application of the said article for a specific category of women, and therefore may raise doubts as to the commitment of this State to the object and purpose of the Convention and, moreover, contribute to undermining the basis of international treaty law. It is in the common interest of States that treaties to which they have chosen to become parties should be respected, as to object and purpose, by all parties;

The Government of the Kingdom of the Netherlands therefore objects to the above-mentioned reservations.

This objection shall not preclude the entry into force of the Convention between Singapore and the Kingdom of the Netherlands.

Bezwaar door Noorwegen, 21 november 1996

In the view of the Government of Norway, a reservation by which a State party limits its responsibilities under the Conven-

tion by invoking general principles of internal law may create doubts about the commitments of the reserving State to the object and purpose of the Convention and, moreover, contribute to undermine the basis of international treaty law. It is in the common interest of States that treaties to which they have chosen to become parties also are respected, as to their object and purpose, by all parties. Furthermore, under well established international treaty law, a State is not permitted to invoke internal law as justification for its failure to perform its treaty obligations. For these reasons, the Government of Norway objects to the reservations of Singapore.

The Government of Norway does not consider this objection to constitute an obstacle to the entry into force of the above-stated Convention between the Kingdom of Norway and Singapore.

Bezwaar door Zweden, 13 augustus 1997

The Government of Sweden is of the view that these general reservations raise doubts as to the commitment of Singapore to the object and purpose of the Convention and would recall that, according to article 28, paragraph 2, of the Convention, a reservation incompatible with the object and purpose of the Convention 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 is further of the view that general reservations of the kind made by the Government of Singapore, which do not clearly specify the provisions of the Convention to which they apply and the extent of the derogation therefrom, contribute to undermining the basis of international treaty law.

The Government of Sweden therefore objects to the aforesaid general reservations made by the Government of Singapore to the [said Convention].

This objection does not preclude the entry into force of the Convention between Singapore and Sweden. The Convention will thus become operative between the two states without Singapore benefiting from these reservations.

It is the opinion of the Government of Sweden, that no time limit applies to objections against reservations, which are inadmissible under international law.

Spanje, 5 januari 1984

The ratification of the Convention by Spain shall not affect the constitutional provisions concerning succession to the Spanish crown.

Syrië, 28 maart 2003

[...] subject to reservations to article 2; article 9, paragraph 2, concerning the grant of a woman's nationality to her children; article 15, paragraph 4, concerning freedom of movement and of residence and domicile; article 16, paragraph 1 (c), (d), (f) and (g), concerning equal rights and responsibilities during marriage and at its dissolution with regard to guardianship, the right to choose a family name, maintenance and adoption; article 16, paragraph 2, concerning the legal effect of the betrothal and the marriage of a child, inasmuch as this provision is incompatible with the provisions of the Islamic Shariah; and article 29, paragraph 1, concerning arbitration between States in the event of a dispute.

The accession of the Syrian Arab Republic to this Convention shall in no way signify recognition of Israel or entail entry into any dealings with Israel in the context of the provisions of the Convention.

Bezwaar door Denemarken, 27 mei 2003

The Government of Denmark has examined the reservations made by the Government of the Syrian Arab Republic upon accession to the Convention on the Elimination of All Forms of Discrimination Against Women regarding article 2, article 9, paragraph 2, article 15, paragraph 4, article 16, paragraphs 1 (c), (d), (f) and (g) and article 16, paragraph 2 in its note of 7 April 2003, to the Secretary-General of the United Nations distributed under reference No. C.N.267.2003.TREATIES-6.

The Government of Denmark finds that the reservation to article 2 seeks to evade the obligation of non-discrimination, which is the aim of the Convention. The Government of Denmark is of the view that a general reservation to one of the core articles of the Convention raises doubts as to the commitment of the Government of the Syrian Arab Republic to fulfil its obligations under the Convention.

The Government of Denmark furthermore notes that the reservations to article 9, paragraph 2, article 15, paragraph 4, article 16, paragraphs 1 (c), (d), (f) and (g) and article 16, paragraph 2, would inevitably result in discrimination against women on the basis of sex, which is contrary to the object and purpose of the Convention. It should be borne in mind that the principles of equal rights of men and women and of non-discrimination on the basis of sex are set forth in the Charter of the United Nations as one of the purposes of the organization, as well as in the Universal Declaration of Human Rights of 1948.

The Government of Denmark finds that these reservations made by the Government of the Syrian Arab Republic are not in conformity with the object and purpose of the Convention.

The Government of Denmark recalls that according to article 28, paragraph 2 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

The Government of Denmark therefore objects to the aforementioned reservations made by the Government of the Syrian Arab Republic to the Convention on the Elimination of All Forms of Discrimination Against Women.

This shall not preclude the entry into force of the Convention in its entirety between the Syrian Arab Republic and Denmark.

The Government of Denmark recommends the Government of the Syrian Arab Republic to reconsider its reservations to the Convention on the Elimination of All Forms of Discrimination Against Women.

Bezwaar door Duitsland, 25 augustus 2003

The Government of the Federal Republic of Germany has examined the reservations made by the Government of the Syrian Arab Republic to the Convention on the Elimination of All Forms of Discrimination against Women in respect of Article 2; Article 9, paragraph 2; Article 15, paragraph 4; Article 16, paragraph 1 (c), (d), (f) and (g); and Article 16, paragraph 2.

The Government of the Federal Republic of Germany finds that the aforesaid reservations would allow to limit the responsibilities of the reserving State with regard to essential provisions of the Convention and therefore raise doubts as to the commitment assumed by this State in acceding to the Convention.

Consequently, the Government of the Federal Republic of Germany considers that these reservations are incompatible with the object and purpose of the Convention.

According to Article 28, paragraph 2 of the Convention reservations incompatible with the object and purpose of the Convention shall not be permitted.

The Government of the Federal Republic of Germany therefore objects to the aforementioned reservations made by the Government of the Syrian Arab Republic to the Convention on the Elimination of All Forms of Discrimination against Women.

This objection does not preclude the entry into force of the Convention between the Federal Republic of Germany and the Syrian Arab Republic.

Bezwaar door Estland, 1 april 2004

The Government of Estonia has carefully examined the reservations made by the Government of the Syrian Arab Republic to Article 2, paragraph 2 of Article 9, paragraph 4 of Article 15 and to paragraphs 1 (c), (d), (f) and (g) of Article 16 of the Convention on the Elimination of all Forms of Discrimination Against Women.

Article 2 of the Convention is one of the core articles of the Convention. By making a reservation to this article, the Government of the Syrian Arab Republic is making a reservation of general

scope that renders the provisions of the Convention completely ineffective. The Government of Estonia considers the reservation incompatible with the object and purpose of the Convention.

The reservations to article 9, paragraph 2, article 15, paragraph 4 and article 16, paragraphs 1 (c), (d), (f) and (g), if put into practice, would inevitably result in discrimination against women on the basis of sex, which is contrary to the object and purpose of the Convention. It should be borne in mind that the principles of equal rights of men and women and of non-discrimination on the basis of sex are set forth in the Charter of the United Nations as one of the purposes of the organisation, as well as in the Universal Declaration of Human Rights of 1948.

The reservation to article 16, paragraph 2, makes a general reference to the Islamic Shariah. The Government of Estonia is of the view that in the absence of further clarification, this reservation which does not clearly specify the extent of the Syrian Arab Republic's derogation from the provision in question raises serious doubts as to the commitment of the Syrian Arab Republic to the object and purpose of the Convention.

The Government of Estonia recalls that according to article 28, paragraph 2 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted. The Government of Estonia therefore objects to the aforementioned reservation made by the Government of the Syrian Arab Republic to the Convention.

This objection does not preclude the entry into force of the Convention between the Syrian Arab Republic and Estonia. The Convention will thus become operative between the two States without the Syrian Arab Republic benefiting from its reservations.

The Government of Estonia recommends the Government of the Syrian Arab Republic to reconsider its reservations to the Convention on the Elimination of All Forms of Discrimination Against Women.

Bezwaar door Finland, 17 juni 2003

The Government of Finland has carefully examined the contents of the reservations made by the Government of the Syrian Arab Republic to Article 2, paragraph 2 of Article 9, paragraph 4 of Article 15 and to paragraphs 1(c), (d), (f) and (g) of Article 16 of the Convention on the Elimination of all Forms of Discrimination Against Women.

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 for other Parties to the Convention the extent to which the reserving State commits itself to the Convention and therefore creates serious doubts as to the commitment of the reserving State to fulfil its

obligations under the Convention. Such reservations are 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 further notes that the reservations made by the Syrian Arab Republic, addressing some of the most essential provisions of the Convention, and aiming to exclude some of the fundamental obligations under it, are incompatible with the object and purpose of the Convention.

The Government of Finland also recalls Part VI, Article 28, of the Convention, according to which reservations incompatible with the object and purpose of the Convention are not permitted. The Government of Finland therefore objects to the aforementioned reservations made by the Government of the Syrian Arab Republic to the Convention.

This objection does not preclude the entry into force of the Convention between the Syrian Arab Republic and Finland. The Convention will thus become operative between the two states without the Syrian Arab Republic benefiting from its reservations.

Bezwaar door Frankrijk, 21 juli 2003

The Government of the French Republic has examined the reservations made by the Syrian Arab Republic upon its accession to the 1979 Convention on the Elimination of All Forms of Discrimination against Women.

The Government of the French Republic considers that, by making a reservation to article 2 of the Convention, the Government of the Syrian Arab Republic is making a reservation of general scope that renders the provisions of the Convention completely ineffective. For this reason, the French Government objects to the reservation, which it considers to be incompatible with the object and purpose of the Convention.

The French Government objects to the reservations made to article 9, paragraph 2, article 15, paragraph 4, and article 16, paragraphs 1 and 2, of the Convention. The French Government notes that these objections do not preclude the entry into force of the 1979 Convention on the Elimination of All Forms of Discrimination against Women between Syria and France.

Bezwaar door Griekenland, 4 maart 2004

The Government of the Hellenic Republic has examined the reservations made by the Government of the Syrian Arab Republic upon accession to the Convention on the Elimination of All Forms of Discrimination against Women.

The Government of the Hellenic Republic is of the view that the reservation with respect to article 2, which is a core provision of

the Convention, is of a general character and is, therefore, contrary to the object and purpose of the Convention.

It also considers that the reservation regarding article 16, paragraph 2 which contains a reference to the provisions of the Islamic Shariah is of unlimited scope and is, similarly, incompatible with the object and purpose of the Convention.

The Government of the Hellenic Republic recalls that according to article 28 paragraph 2 of the Convention, a reservation which is incompatible with the object and purpose of the Convention shall not be permitted.

Consequently, the Government of the Hellenic Republic objects to the aforementioned reservations made by the Government of the Syrian Arab Republic to the Convention on the Elimination of All Forms of Discrimination against Women. This shall not preclude the entry into force of the Convention between Syria and Greece.

Bezwaar door Italië, 2 september 2003

The Government of Italy has examined the reservations made by the Government of the Syrian Arab Republic at the time of its accession to the Convention on the Elimination of All Forms of Discrimination against Women, regarding article 2, article 9, paragraph 2, article 15, paragraph 4, article 16, paragraph 1 (c), (d), (f) and (g), and article 16, paragraph 2.

The Government of Italy considers that the reservations to article 2, article 9, paragraph 2, article 15, paragraph 4, article 16, paragraph 1 (c), (d), (f) and (g) are incompatible with the object and purpose of the above-mentioned Convention, as they contrast with the commitment of all parties to an effective implementation of the basic principles established in the Convention.

Furthermore, the Government of Italy underlines that the reservation with respect to article 16, paragraph 2, of the Convention, concerning the Islamic Sharia of the Syrian Arab Republic, may limit the responsibilities and obligations of the reserving State under the Convention, and therefore raises serious doubts about the real extent of the commitment undertaken by the Syrian Arab Republic at the time of its accession to the Convention.

The Government of Italy recalls that, according to article 28, paragraph 2 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted. As a consequence, the Government of Italy objects to the above-mentioned reservations made by the Syrian Arab Republic to the Convention on the Elimination of All Forms of Discrimination against Women.

This objection, however, shall not preclude the entry into force of the Convention between the Government of Italy and the Syrian Arab Republic.

Bezwaar door **Nederlanden, het Koninkrijk der**, 27 mei 2003
 The Government of the Kingdom of the Netherlands has examined the reservations made by the Government of the Syrian Arab Republic at the time of its accession to the Convention on the Elimination of All Forms of Discrimination against Women.

The Government of the Kingdom of the Netherlands considers that the reservations with respect to article 2, article 9, paragraph 2, article 15, paragraph 4, and article 16, paragraph 1 (c), (d), (f) and (g), of the Convention are reservations incompatible with the object and purpose of the Convention.

Furthermore, the Government of the Kingdom of the Netherlands considers that the reservation with respect to article 16, paragraph 2, of the Convention, concerning the Islamic Shariah of the Syrian Arab Republic, a reservation which seeks to limit the responsibilities of the reserving State under the Convention by invoking the Islamic Shariah, may raise doubts as to the commitment of this State to the object and purpose of the Convention and, moreover, contribute to undermining the basis of international treaty law. The Government of the Kingdom of the Netherlands recalls that, according to paragraph 2 of article 28 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

It is in the common interest of States that treaties to which they have chosen to become party 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 the Kingdom of the Netherlands therefore objects to the aforesaid reservations made by the Government of the Syrian Arab Republic to the Convention on the Elimination of All Forms of Discrimination against Women.

This objection shall not preclude the entry into force of the Convention between the Kingdom of the Netherlands and the Syrian Arab Republic.

Bezwaar door Noorwegen, 5 april 2004

The Government of Norway has examined the reservations made by the Government of the Syrian Arab Republic upon accession to the Convention on the Elimination of All Forms of Discrimination Against Women regarding Article 2, Article 9, paragraph 2, Article 15, paragraph 4, Article 16, paragraph 1 (c), (d), (f) and (g) and Article 16, paragraph 2.

The said reservations, as they relate to core provisions of the Convention, render the provisions of the Convention ineffective. Moreover, and due to the reference to Islamic Sharia, it is not clearly defined for other States Parties to what extent the reserving State has undertaken the obligations of the Convention. The

Government of Norway therefore objects to the aforesaid reservations made by the Government of the Syrian Arab Republic. This objection does not preclude the entry into force in its entirety of the Convention between the Kingdom of Norway and the Syrian Arab Republic. The Convention thus becomes operative between the Kingdom of Norway and the Syrian Arab Republic without the Syrian Arab Republic benefiting from the aforesaid reservations.

Bezwaar door Oostenrijk, 14 augustus 2003

The Government of Austria has examined the reservation made by the Government of the Syrian Arab Republic upon accession to the Convention on the Elimination of All Forms of Discrimination against Women regarding article 2, article 9, paragraph 2, article 15, paragraph 4, article 16, paragraphs 1 (c), (d), (f) and (g) and article 16, paragraph 2.

The Government of Austria finds that the reservations to article 2, article 9, paragraph 2, article 15, paragraph 4, article 16, paragraphs 1 (c), (d), (f) and (g), if put into practice, would inevitably result in discrimination against women on the basis of sex. This is contrary to the object and purpose of the Convention.

The Government of Austria further considers that, in the absence of further clarification, the reservation to article 16, paragraph 2, which refers to the contents of Islamic Sharia, does not clearly specify the extent of the reservation and therefore raises doubts as to the degree of commitment assumed by the Syrian Arab Republic in becoming a party to the Convention.

The Government of Austria would like to recall that, according to article 28 (2) of the Convention as well as customary international law as codified in the Vienna Convention on the Law of Treaties, a reservation 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.

For these reasons, the Government of Austria objects to the aforementioned reservations made by the Syrian Arab Republic to the Convention on the Elimination of All Forms of Discrimination against Women.

This position, however, does not preclude the entry into force in its entirety of the Convention between the Syrian Arab Republic and Austria.

Bezwaar door Roemenië, 3 december 2003

The Government of Romania has examined the reservations made by the Government of the Syrian Arab Republic at the time of its accession to the Convention on the Elimination of all Forms of Discrimination against Women, regarding article 2, article 9, paragraph 2, article 15, paragraph 4, article 16 paragraph 1 (c), (d), (f) and (g), and article 16 paragraph 2.

The Government of Romania considers that the reservations to article 2, article 9, paragraph 2, article 15, paragraph 4, article 16 paragraph 1 (c), (d), (f) and (g), article 16 paragraph 2, of the Convention on the Elimination of all Forms of Discrimination against Women are incompatible with the object and purpose of the above-mentioned Convention, taking into account the provisions of article 19 (c) of the Vienna Convention on the Law of Treaties (1969).

As a consequence, the Government of Romania objects to the above-mentioned reservations made by the Syrian Arab Republic to the Convention on the Elimination of all Forms of Discrimination against Women.

This objection, however, shall not preclude the entry into force of the Convention between the Government of Romania and the Syrian Arab Republic.

Bezwaar door Spanje, 31 juli 2003

The Government of the Kingdom of Spain has examined the reservations made by the Government of the Syrian Arab Republic to article 2; article 9, paragraph 2; article 15, paragraph 4; and article 16, paragraph 1 (c), (d), (f) and (g) and paragraph 2 of the Convention on the Elimination of All Forms of Discrimination against Women, upon acceding to the Convention.

The Government of the Kingdom of Spain deems the above-mentioned reservations to be contrary to the object and purpose of the Convention, since they affect fundamental obligations of States parties thereunder. Moreover, the reservation to article 16, paragraph 2, of the Convention refers to the Islamic Shariah, without specifying its content, which raises doubts as to the degree of commitment of the Syrian Arab Republic in acceding to the Convention.

The Government of the Kingdom of Spain recalls that, under article 28, paragraph 2, of the Convention, reservations incompatible with the object and purpose of the Convention are not permitted. Accordingly, the Government of the Kingdom of Spain objects to the reservations made by the Government of the Syrian Arab Republic to the Convention on the Elimination of All Forms of Discrimination against Women.

This objection does not prevent the entry into force of the Convention between the Kingdom of Spain and the Syrian Arab Republic.

Bezwaar door Verenigd Koninkrijk, 26 juni 2003

The Government of the United Kingdom have examined the reservations made by the Government of the Syrian Arab Republic to the Convention on the Elimination of All Forms of Discrimination Against Women (New York, 18 December 1979) on 28 March 2003 in respect of Article 2; and Article 16, paragraphs 1 (c), (d), (f) and (g), concerning equal rights and responsibilities during marriage and at its dissolution with regard to guardianship, the right to choose a family name, maintenance and adoption; and article 16, paragraph 2, concerning the legal effect of the betrothal and the marriage of a child, inasmuch as this provision is incompatible with the provisions of the Islamic Shariah. The Government of the United Kingdom note that the Syrian reservation specifies particular provisions of the Convention Articles to which the reservation is addressed. Nevertheless this reservation does 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 the Syrian Arab Republic.

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

Bezwaar door Zweden, 11 juli 2003

The Government of Sweden has examined the reservations made by the Syrian Arab Republic upon acceding to the Convention on the Elimination of All Forms of Discrimination Against Women regarding article 2, article 9, paragraph 2, article 15, paragraph 4 and article 16, paragraphs 1 (c), (d), (f) (g) and 2 of the Convention.

Article 2 of the Convention is one of the core articles of the Convention. A general reservation to this article seriously raises doubts as to the commitment of the Syrian Arab Republic to the object and purpose of the Convention.

The reservations to articles 9, paragraph 2, article 15, paragraph 4 and article 16, paragraphs 1 (c), (d), (f) and (g), if put into practice, would inevitably result in discrimination against women on the basis of sex, which is contrary to the object and purpose of the Convention. It should be borne in mind that the principles of the equal rights of men and women and of non-discrimination on the basis of sex are set forth in the Charter of the United Nations

as one of the purposes of the organisation, as well as in the Universal Declaration of Human Rights of 1948.

The reservation to article 16, paragraph 2, makes a general reference to Islamic sharia. The Government of Sweden is of the view that in the absence of further clarification, this reservation which does not clearly specify the extent of the Syrian Arab Republic's derogation from the provision in question raises serious doubts as to the commitment of the Syrian Arab Republic to the object and purpose of the Convention.

According to article 28, paragraph 2, of the Convention, reservations incompatible with the object and purpose of the Convention shall not be permitted. It is in the common interest of all 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 reservations made by the Syrian Arab Republic to the Convention on the Elimination of All Forms of Discrimination against Women.

This objection shall not preclude the entry into force of the Convention between the Syrian Arab Republic and Sweden. The Convention enters into force in its entirety between the two States, without the Syrian Arab Republic benefiting from its reservations.

Thailand, 9 augustus 1985

Declaration:

The Royal Thai Government wishes to express its understanding that the purposes of the Convention are to eliminate discrimination against women and to accord to every person, men and women alike, equality before the law, and are in accordance with the principles prescribed by the Constitution of the Kingdom of Thailand.

Reservation:

[...]

3. The Royal Thai Government does not consider itself bound by the provisions of [...] article 29, paragraph 1, of the Convention.

Trinidad en Tobago, 12 januari 1990

The Republic of Trinidad and Tobago declares that it does not consider itself bound by article 29 (1) of the said Convention, relating to the settlement of disputes.

Tunesië, 20 september 1985

1. General declaration:

The Tunisian Government declares that it shall not take any organizational or legislative decision in conformity with the requirements of this

Convention where such a decision would conflict with the provisions of chapter I of the Tunisian Constitution.

2. Reservation concerning article 9, paragraph 2:

The Tunisian Government expresses its reservation with regard to the provisions in article 9, paragraph 2 of the Convention, which must not conflict with the provisions of chapter VI of the Tunisian Nationality Code.

3. Reservation concerning article 16, paragraphs (c), (d), (f), (g) and (h): The Tunisian Government considers itself not bound by article 16, paragraphs (c), (d) and (f) of the Convention and declares that paragraphs (g) and (h) of that article must not conflict with the provisions of the Personal Status Code concerning the granting of family names to children and the acquisition of property through inheritance.

4. Reservation concerning article 29, paragraph 1:

The Tunisian Government declares, in conformity with the requirements of article 29, paragraph 2 of the Convention, that it shall not be bound by the provisions of paragraph 1 of that article which specify that any dispute between two or more States Parties concerning the interpretation or application of the present Convention which is not settled by negotiation shall be referred to the International Court of Justice at the request of any one of those parties.

The Tunisian Government considers that such disputes should be submitted for arbitration or consideration by the International Court of Justice only with the consent of all parties to the dispute.

5. Declaration concerning article 15, paragraph 4:

In accordance with the provisions of the Vienna Convention on the Law of Treaties, dated 23 May 1969, the Tunisian Government emphasizes that the requirements of article 15, paragraph 4, of the Convention on the Elimination of All forms of Discrimination against Women, and particularly that part relating to the right of women to choose their residence and domicile, must not be interpreted in a manner which conflicts with the provisions of the Personal Status Code on this subject, as set forth in chapters 23 and 61 of the Code.

Bezwaar door Duitsland, 15 oktober 1986

In respect of reservations and some declarations formulated by the Government of Tunisia concerning article 9, paragraph 2 and article 16, as well as the declaration concerning article 15, paragraph 4, the Federal Republic of Germany also holds the view that the reservation made by Tunisia regarding article 7 of the Convention is likewise incompatible with the object and purpose of the Convention because for all matters which concern national security it reserves in a general and thus unspecific manner the right of the Tunisian Government to apply the provisions only within the limits established by national laws, regulations and practices.

Bezwaar door **Nederlanden, het Koninkrijk der**, 23 juli 1991
 The Government of the Kingdom of the Netherlands considers that the reservations made by Tunisia regarding article 9, paragraph 2, article 15, paragraph 4, and article 16, paragraph 1 (c), (d), (f), (g) and (h), are incompatible with the object and purpose of the Convention (article 28, paragraph 2).
 These objections shall not preclude the entry into force of the Convention as between Tunisia and the Kingdom of the Netherlands.

Bezwaar door Zweden, 17 maart 1986
 The Government of Sweden considers that the reservations regarding article 9, paragraph 2, article 15, paragraph 4 and article 16, paragraph 1 (c), (d), (f), (g) and (h) are incompatible with the object and purpose of the Convention (article 28, paragraph 2) and therefore objects to them.
 Indeed the reservations in question, if put into practice, would inevitably result in discrimination against women on the basis of sex, which is contrary to everything the Convention stands for. It should also be borne in mind that the principles of the equal rights of men and women and of non-discrimination on the basis of sex are set forth in the Charter of the United Nations as one of its purposes, in the Universal Declaration of Human Rights of 1948 and in various multilateral instruments, to which Tunisia is a party.

[...]

In this context the Government of Sweden wishes to take this opportunity to make the observation that the reason why reservations incompatible with the object and purpose of a treaty are not acceptable is precisely that otherwise they would render a basic international obligation of a contractual nature meaningless. Incompatible reservations, made in respect of the Convention on the elimination of all forms of discrimination against women, do not only cast doubts on the commitments of the reserving states to the objects and purpose of this Convention, but moreover, contribute to undermine the basis of international contractual law. It is in the common interest of states that treaties to which they have chosen to become parties also are respected, as to object and purpose, by other parties.

Turkije, 20 december 1985
 [...] In pursuance of article 29, paragraph 2 of the Convention, the Government of the Republic of Turkey declares that it does not consider itself bound by paragraph 1 of this article.

Venezuela, 2 mei 1983

Venezuela makes a formal reservation with regard to article 29, paragraph 1, of the Convention, since it does not accept arbitration or the jurisdiction of the International Court of Justice for the settlement of disputes concerning the interpretation or application of this Convention.

Verenigd Koninkrijk, 7 april 1986

A. On behalf of the United Kingdom of Great Britain and Northern Ireland:

a) The United Kingdom understands the main purpose of the Convention, in the light of the definition contained in Article 1, to be the reduction, in accordance with its terms, of discrimination against women, and does not therefore regard the Convention as imposing any requirement to repeal or modify any existing laws, regulations, customs or practices which provide for women to be treated more favourably than men, whether temporarily or in the longer term; the United Kingdom's undertakings under Article 4, paragraph 1, and other provisions of the Convention are to be construed accordingly.

[...]

c) In the light of the definition contained in Article 1, the United Kingdom's ratification is subject to the understanding that none of its obligations under the Convention shall be treated as extending to the succession to, or possession and enjoyment of, the Throne, the peerage, titles of honour, social precedence or armorial bearings, or as extending to the affairs of religious denominations or orders or any act done for the purpose of ensuring the combat effectiveness of the Armed Forces of the Crown.

[...]

Article 9

The British Nationality Act 1981, which was brought into force with effect from January 1983, is based on principles which do not allow of any discrimination against women within the meaning of Article 1 as regards acquisition, change or retention of their nationality or as regards the nationality of their children. The United Kingdom's acceptance of Article 9 shall not, however, be taken to invalidate the continuation of certain temporary or transitional provisions which will continue in force beyond that date.

[...]

Article 11

[...]

The United Kingdom reserves the right to apply all United Kingdom legislation and the rules of pension schemes affecting retirement pensions, survivors' benefits and other benefits in relation to death or retirement (including retirement on grounds of redundancy), whether or not derived from a Social Security scheme.

This reservation will apply equally to any future legislation which may modify or replace such legislation, or the rules of pension

schemes, on the understanding that the terms of such legislation will be compatible with the United Kingdom's obligations under the Convention.

The United Kingdom reserves the right to apply the following provisions of United Kingdom legislation concerning the benefits specified:

[...]

b) increases of benefits for adult dependants under sections 44 to 47, 49 and 66 of the Social Security Act 1975 and under sections 44 to 47, 49 and 66 of the Social Security (Northern Ireland) Act 1975;

[...]

The United Kingdom reserves the right to apply any non-discriminatory requirement for a qualifying period of employment or insurance for the application of the provisions contained in Article 11 (2).

Article 15

[...]

In relation to Article 15, paragraph 3, the United Kingdom understands the intention of this provision to be that only those terms or elements of a contract or other private instrument which are discriminatory in the sense described are to be deemed null and void, but not necessarily the contract or instrument as a whole.

Article 16

As regards sub-paragraph 1 (f) of Article 16, the United Kingdom does not regard the reference to the paramountcy of the interests of the children as being directly relevant to the elimination of discrimination against women, and declares in this connection that the legislation of the United Kingdom regulating adoption, while giving a principal position to the promotion of the children's welfare, does not give to the child's interests the same paramount place as in issues concerning custody over children.

[...]

B. On behalf of the Isle of Man, the British Virgin Islands, the Falkland Islands, South Georgia and the South Sandwich Islands, and the Turks and Caicos Islands:

[Same reservations as the one made on behalf of the United Kingdom under paragraphs A (a), (c), and (d) except that in the of case d) it applies to the territories and their laws].

Article 1

[Same reservation as the one made in respect of the United Kingdom except with regard to the absence of a reference to United Kingdom legislation.]

Article 2

[Same reservation as the one made in respect of the United Kingdom except that reference is made to the laws of the territories, and not the laws of the United Kingdom.]

Article 9

[Same reservation as the one made in respect of the United Kingdom.]
Article 11

[Same reservation as those made in respect of the United Kingdom except that a reference is made to the laws of the territories, and not to the laws of the United Kingdom.]

Also, as far as the territories are concerned, the specific benefits listed and which may be applied under the provisions of these territories' legislation are as follows:

- a) social security benefits for persons engaged in caring for a severely disabled person;
- b) increases of benefit for adult dependants;
- c) retirement pensions and survivors' benefits;
- d) family income supplements.

This reservation will apply equally to any future legislation which may modify or replace any of the provisions specified in sub-paragraphs (a) to (d) above, on the understanding that the terms of such legislation will be compatible with the United Kingdom's obligations under the Convention.

The United Kingdom reserves the right to apply any non-discriminatory requirement for a qualifying period of employment or insurance for the application of the provisions contained in Article 11 (2).

Article 13, 15 and 16

[Same reservations as those made on behalf the United Kingdom.]

Bezwaar door Argentinië, 4 april 1989

The Argentine Republic rejects the extension of the territorial application of the Convention on the Elimination of all Forms of Discrimination against Women, adopted by the United Nations General Assembly on 18 December 1979, to the Malvinas (Falkland) Islands, South Georgia and the South Sandwich Islands, notified by the Government of the United Kingdom of Great Britain and Northern Ireland upon its ratification of that instrument on 7 April 1986.

The Argentine Republic reaffirms its sovereignty over the aforementioned archipelagos, which are integral part of its national territory, and recalls that the United Nations General Assembly has adopted resolutions 2065 (XX), 3160 (XXVIII), 31/49, 37/9, 38/12 and 39/6, in which a sovereignty dispute is recognized and the Governments of Argentina and the United Kingdom are urged to resume negotiations in order to find as soon as possible a peaceful and lasting solution to the dispute and their remaining differences relating to this question, through the good offices of the Secretary-General. The General Assembly has also adopted resolutions 40/21, 41/40, 42/19 and 43/25, which reiterate its request to the parties to resume such negotiations.

Verenigd Koninkrijk, 27 november 1989

The Government of the United Kingdom of Great Britain and Northern Ireland reject the statement made by the Government of Argentina on 4 April 1989 regarding the Falkland Islands and South Georgia and the South Sandwich Islands. The Government of the United Kingdom of Great Britain and Northern Ireland have no doubt as to the British sovereignty of the Falkland Islands and South Georgia and the South Sandwich Islands, and their consequent right to extend treaties to those Territories.

Verenigd Koninkrijk, 22 maart 1996

[...]

By the same communication, the Government of the United Kingdom also informed the Secretary-General "for the avoidance of doubt, that the declarations and reservations entered in respect of the dependent territories on behalf of which the Convention was also ratified on 7 April 1986 continue to apply, but are under active review.

Verenigde Arabische Emiraten, 6 oktober 2004

[...]

Article 2 (f)

The United Arab Emirates, being of the opinion that this paragraph violates the rules of inheritance established in accordance with the precepts of the Shariah, makes a reservation thereto and does not consider itself bound by the provisions thereof.

Article 9

The United Arab Emirates, considering the acquisition of nationality an internal matter which is governed, and the conditions and controls of which are established, by national legislation makes a reservation to this article and does not consider itself bound by the provisions thereof.

Article 15 (2)

The United Arab Emirates, considering this paragraph in conflict with the precepts of the Shariah regarding legal capacity, testimony and the right to conclude contracts, makes a reservation to the said paragraph of the said article and does not consider itself bound by the provisions thereof.

Article 16

The United Arab Emirates will abide by the provisions of this article insofar as they are not in conflict with the principles of the Shariah. The United Arab Emirates considers that the payment of a dower and of support after divorce is an obligation of the husband, and the husband has the right to divorce, just as the wife has her independent financial security and her full rights to her property and is not required to pay her husband's or her own expenses out of her own property. The Shariah makes a woman's right to divorce conditional on a judicial decision, in a case in which she has been harmed.

Article 29 (1)

The United Arab Emirates appreciates and respects the functions of this article, which provides: “Any dispute between two or more States Parties concerning the interpretation or application of the present Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration. If within six months...the parties are unable [...] [any one of those parties] “may refer the dispute to the International Court of Justice [...]” This article, however, violates the general principle that matters are submitted to an arbitration panel by agreement between the parties. In addition, it might provide an opening for certain States to bring other States to trial in defence of their nationals; the case might then be referred to the committee charged with discussing the State reports required by the Convention and a decision might be handed down against the State in question for violating the provisions of the Convention. For these reasons the United Arab Emirates makes a reservation to this article and does not consider itself bound by the provisions thereof.

Bezwaar door Denemarken, 14 december 2005

The Government of Denmark has examined the reservations made by the Government of the United Arab Emirates upon accession to the Convention on the Elimination of All Forms of Discrimination against Women regarding article 2 (f), 15 (2) and 16 pertaining to Shariah principles.

The Government of Denmark considers that the reservations made by the United Arab Emirates to article 2 (f), 15 (2) and 16 referring to the contents of the Shariah Law do not clearly specify the extent to which the United Arab Emirates feel committed to the object and purpose of the Convention. Consequently, the Government of Denmark considers the said reservations as being incompatible with the object and purpose of the Convention. Consequently, the Government of Denmark considers the said reservations as being incompatible with the object and purpose of the Convention and accordingly inadmissible and without effect under international law.

The Government of Denmark wishes to recall that, according to article 28 (2) of the Convention reservations incompatible with the object and purpose of the Convention shall not be permitted. The Government of Denmark therefore objects to the aforementioned reservations made by the Government of the United Arab Emirates to the Convention on the Elimination of All Forms of Discrimination against Women. This shall not preclude the entry into force of the Convention in its entirety between the United Arab Emirates and Denmark.

The Government of Denmark recommends the Government of the United Arab Emirates to reconsider its reservations to the Convention on the Elimination of All Forms of Discrimination against Women.

Bezwaar door Duitsland, 9 november 2005

The Government of the Federal Republic of Germany has carefully examined the reservations made by the Government of the United Arab Emirates upon accession to the International Convention on the Elimination of All Forms of Discrimination Against Women. It is of the opinion that from the reservations to Article 2 (f), Article 15 (2) and Article 16, which give a specific legal system, the Islamic Sharia, precedence as a rule over the provisions of the Convention, it is unclear to what extent the UAE feels bound by the obligations of the Convention.

Moreover, the reservations to Article 9 (2) and Article 15 (2) would in practice result in a legal situation that discriminated against women, which would not be compatible with the object and purpose of the Convention.

Pursuant to Article 28 (2) of the Convention, reservations that are incompatible with the object and purpose of the present Convention shall not be permitted.

The Government of the Federal Republic of Germany therefore objects to the above-mentioned reservations made by the Government of the United Arab Emirates to the Convention on the Elimination of All Forms of Discrimination Against Women. This objection shall not preclude the entry into force of the Convention between the Federal Republic of Germany and the United Arab Emirates.

Bezwaar door Finland, 15 november 2005

The Government of Finland has carefully examined the contents of the reservations made by the Government of the United Arab Emirates to paragraph (f) of Article 2, Article 9, paragraph (2) of Article 15 and Article 16 of the Convention on the Elimination of all Forms of Discrimination Against Women,

The Government of Finland recalls that by acceding to the Convention, a State commits itself to adopt the measures required for the elimination of discrimination, in all its forms and manifestations, against women.

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 notes that the reservations made by the United Arab Emirates, addressing some of the most essential

provisions of the Convention, and aiming to exclude the obligations under those provisions, are in contradiction with the object and purpose of the Convention.

The Government of Finland also recalls Part VI, Article 28 of the Convention according to which reservations incompatible with the object and purpose of the Convention are not permitted.

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

Bezwaar door Frankrijk, 18 november 2005

The Government of the French Republic has examined the reservations formulated by the United Arab Emirates upon accession to the Convention on the Elimination of All Forms of Discrimination against Women, of 18 December 1979, according to which the United Arab Emirates, on the one hand, does not consider itself bound by the provisions of article 2 (f) and article 15, paragraph 2, because they are contrary to the sharia and, on the other, states that it will abide by the provisions of article 16 insofar as they are not in conflict with the principles of the sharia. The Government of the French Republic considers that, by precluding the application of these provisions, or by making it subject to the principles of the sharia, the United Arab Emirates is formulating reservations with a general scope depriving the provisions of the Convention of any effect. The Government of the French Republic considers that these reservations are contrary to the object and purpose of the Convention and enters an objection thereto. The Government of the French Republic also objects to the reservation formulated to article 9. These objections shall not preclude the entry into force of the Convention between France and the United Arab Emirates.

Bezwaar door Griekenland, 4 oktober 2005

The Government of the Hellenic Republic have examined the reservations made by the Government of the United Arab Emirates upon accession to the Convention on the Elimination of All Forms of Discrimination against Women (New York, 18 December 1979).

The Government of the Hellenic Republic consider that the reservations in respect of Articles 2 (f), which is a core provision of the above Convention, 15 paragraph 2 and 16, all containing a reference to the provisions of the Islamic Shariah, are of unlim-

ited scope and, therefore, incompatible with the object and purpose of the Convention.

The Government of the Hellenic Republic recall that, according to Article 28 paragraph 2 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

Consequently, the Government of the Hellenic Republic object to the aforementioned reservations made by the Government of the United Arab Emirates. This objection shall not preclude the entry into force of the Convention between Greece and the United Arab Emirates.

Bezwaar door Letland, 4 oktober 2005

The Government of the Republic of Latvia has carefully examined the reservations made by the United Arab Emirates to the Convention on the Elimination of All Forms of Discrimination against Women upon accession to the Convention regarding Article 2 (f), Article 15 (2), and Article 16 thereof.

The Government of the Republic of Latvia considers that the reservations made by the United Arab Emirates contain general reference to national law without making specific reference to the extent of the obligations the United Arab Emirates are accepting. Moreover, the Government of the Republic of Latvia is of the opinion that these reservations contradict to the object and purpose of the Convention and in particular to obligation all States Parties to pursue by all appropriate means and without delay a policy of eliminating discrimination against women.

The Government of the Republic of Latvia recalls Part VI, Article 28 of the Convention setting out that reservations incompatible with the object and purpose of the Convention are not permitted.

The Government of the Republic of Latvia therefore objects to the aforesaid reservations made by the United Arab Emirates to the Convention on the Elimination of All Forms of Discrimination against Women.

However, this objection shall not preclude the entry into force of the Convention between the Republic of Latvia and the United Arab Emirates.

Bezwaar door **Nederlanden, het Koninkrijk der**, 31 mei 2005

The Government of the Netherlands has examined the reservation made by the United Arab Emirates to the Convention on the Elimination of All Forms of Discrimination against Women.

The application of the Articles 2(f), 15(2) and 16 of the Convention on the Elimination of All Forms of Discrimination against Women has been made subject to religious considerations. This makes it unclear to what extent the United Arab Emirates con-

siders itself bound by the obligations of the treaty and therefore raises concerns as to the commitment of the United Arab Emirates to the object and purpose of the Covenant.

It is of the common interest of States that all parties respect treaties to which they have chosen to become parties and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties. According to customary international law, as codified in the Vienna Convention on the Law of Treaties, a reservation which is incompatible with the object and purpose of a treaty shall not be permitted (Art. 19 c).

The Government of the Netherlands therefore objects to the reservation made by the United Arab Emirates to the Convention on the Elimination of All Forms of Discrimination against Women. This objection shall not preclude the entry into force of the Covenant between the United Arab Emirates and the Kingdom of the Netherlands, without the United Arab Emirates benefiting from its reservation.

Bezwaar door Noorwegen, 1 december 2005

The Government of the Kingdom of Norway has examined the reservations made by the Government of the United Arab Emirates on 6 October 2004 on accession to the Convention on the Elimination of All Forms of Discrimination against Women (New York, 18 December 1979) in respect of articles 2 (f); 9; 15 (c) and 16.

The Government of the Kingdom of Norway is of the view that the reservation in respect of article 2 (f), which is a core provision of the above Convention, taken together with the reservations in respect of articles 9, 15 (c) and 16, raise doubts as to the full commitment of the United Arab Emirates to the object and purpose of the Convention on the Elimination of All Forms of Discrimination against Women and would like to recall that, according to article 28 (2) of the Convention, a reservation incompatible with the object and purpose of the present Convention shall not be permitted.

The Government of the Kingdom of Norway therefore objects to the aforesaid reservations made by the Government of the United Arab Emirates to the Convention on the Elimination of All Forms of Discrimination against Women. This objection does not preclude the entry into force, in its entirety, of the Convention between the Kingdom of Norway and the United Arab Emirates, without the United Arab Emirates benefiting from these reservations.

Bezwaar door Oostenrijk, 5 oktober 2005

The Government of Austria has examined the reservation made by the Government of the United Arab Emirates upon accession to the Convention on the Elimination of All Forms of Discrimination against Women regarding articles 2 (f), 9, 15 (2), 16 and 29 (1).

The Government of Austria finds that the reservations to article 2 (f), article 9, article 15 (2) and article 16, if put into practice, would inevitably result in discrimination against women on the basis of sex. This is contrary to the object and purpose of the Convention.

The Government of Austria would like to recall that, according to article 28 (2) of the Convention as well as customary international law as codified in the Vienna Convention on the Law of Treaties, a reservation 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.

For these reasons, the Government of Austria objects to the aforementioned reservations made by the United Arab Emirates to the Convention on the Elimination of All Forms of Discrimination against Women.

This position, however, does not preclude the entry into force in its entirety of the Convention between the United Arab Emirates and Austria.

Bezwaar door Polen, 28 november 2005

The Government of the Republic of Poland has examined the reservations made by the United Arab Emirates upon accession to the Convention on the Elimination of All Forms of Discrimination against Women, adopted by the General Assembly of the United Nations on December 18, 1979, hereinafter called the Convention, regarding articles 2 (f), 9, 15 (2) and 16.

The Government of the Republic of Poland considers that the reservations made by the United Arab Emirates are incompatible with the object and purpose of the Convention which guarantees equal rights of women and men to exercise their economic, social, cultural, civil and political rights. The Government of the Republic of Poland therefore considers that, according to the customary international law as codified in the Vienna Convention on the Law of Treaties (article 19 (c)), done at Vienna on 23 May 1969, as well as article 28 (2) of the Convention on the Elimination of All Forms of Discrimination against Women, reservations

incompatible with the object and purpose of a treaty shall not be permitted.

The Government of the Republic of Poland therefore objects to the aforementioned reservations made by the United Arab Emirates upon accession to the Convention on the Elimination of All Forms of Discrimination against Women, adopted by the General Assembly of the United Nations on 18 December 1979, regarding articles 2 (f), 9, 15 (2) and 16.

This objection does not preclude the entry into force of the Convention between the Republic of Poland and the United Arab Emirates.

Bezwaar door Portugal, 28 november 2005

The Portuguese Government has carefully examined the reservations made by the United Arab Emirates upon its accession to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

Most of these reservations concern fundamental provisions of the Convention, such as articles 2 (f), 9, 15 (2) and 16, since they outline the measures which a State Party is required to take in order to implement the Convention, cover the fundamental rights of women and deal with the key elements for the elimination of discrimination against women.

Portugal considers that such reservations, consisting of references to the precepts of the Shariah and to national legislation, create serious doubts as to the commitment of the reserving State to the object and purpose of the Convention and to the extent it has accepted the obligations imposed by it and, moreover, contribute to undermining the basis of international law.

It is in the common interest of all 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 these treaties.

The Government of the Portuguese Republic, therefore, objects to the above reservations made by the United Arab Emirates to the CEDAW.

This objection shall not preclude the entry into force of the Convention between Portugal and the United Arab Emirates.

Bezwaar door Spanje, 6 oktober 2005

The Government of the Kingdom of Spain has examined the reservations entered by the Government of the United Arab Emirates to article 2, subparagraph (f); article 9; article 15, paragraph 2; and article 16 of the Convention on the Elimination of All Forms of Discrimination against Women upon its accession to that instrument on 6 October 2004.

The Government of the Kingdom of Spain considers that these reservations are incompatible with the object and purpose of the Convention, since they are intended to exempt the United Arab Emirates from obligations relating to essential aspects of the Convention: one of a general nature, namely the adoption of measures, including legislation, to eliminate all forms of discrimination against women (article 2, subparagraph (f)), and others concerning specific forms of discrimination in relation to nationality (article 9), legal capacity in civil matters (article 15, paragraph 2) and marriage and family relations (article 16).

The Government of the Kingdom of Spain recalls that, under article 28, paragraph 2, of the Convention, reservations incompatible with the object and purpose of the Convention are not permitted. Moreover, the reservation to article 16 of the Convention makes a general reference to the principles of Islamic law without specifying their content, with the result that the other States parties cannot precisely determine the extent to which the Government of the United Arab Emirates accepts the obligations set out in article 16 of the Convention.

Accordingly, the Government of the Kingdom of Spain objects to the reservations entered by the Government of the United Arab Emirates to article 2, subparagraph (f); article 9; article 15, paragraph 2; and article 16 of the Convention on the Elimination of All Forms of Discrimination against Women.

This objection shall not preclude the entry into force of the Convention between the Kingdom of Spain and the United Arab Emirates.

Bezwaar door Verenigd Koninkrijk, 17 augustus 2005

The Government of the United Kingdom have examined the reservations made by the Government of United Arab Emirates to the Convention on the Elimination of all Forms of Discrimination against Women (New York, 18 December 1979) on 9 September 2004 in respect of Articles 2(f), 15(2), and 16 on the applicability of Sharia law.

The Government of the United Kingdom note that a reservation which consists of a general reference to a system of law without specifying its contents does 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 the United Arab Emirates.

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

Bezwaar door Zweden, 5 oktober 2005

The Government of Sweden has examined the reservations made by United Arab Emirates upon acceding to the Convention on the Elimination of All Forms of Discrimination Against Women, regarding Article 2 (f), 9, 15 (2) and 16.

The Government of Sweden notes that the said articles are being made subject to reservations referring to national legislation and Sharia principles.

The Government of Sweden is of the view that these reservations which do not clearly specify the extent of the United Arab Emirates' derogation from the provisions in question raises serious doubts as to the commitment of the United Arab Emirates to the object and purpose of the Convention. The reservations in question, if put into practice, would inevitably result in discrimination against women on the basis of sex, which is contrary to the object and purpose of the Convention. It should be borne in mind that the principles of the equal rights of women and men and of non-discrimination on the basis of sex are set forth in the Charter of the United Nations as one of the purposes of the organization, as well as in the declaration of Human Rights of 1948.

According to article 28 (2) of the Convention, and to international customary law as codified in the Vienna convention on the Law of the Treaties, reservations incompatible with the object and purpose of the Convention 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 reservations made by the Government of the United Arab Emirates to the Convention on the Elimination of All Forms of Discrimination Against Women and considers them null and void.

This objection shall not preclude the entry into force of the Convention between the United Arab Emirates and Sweden. The convention enters into force in its entirety between the two States, without the United Arab Emirates benefiting from its reservations.

Vietnam, 17 februari 1982

In implementing this Convention, the Socialist Republic of Viet Nam will not be bound by the provisions of paragraph 1 article 29.

Zuid-Korea, 25 mei 1983

1. [...]

2. Bearing in mind the fundamental principles as embodied in the said Convention, the Government of the Republic of Korea has recently established the Korea Women's welfare and social activities. A commit-

tee under the chairmanship of the prime minister will shortly be set up to consider and coordinate overall policies on women.

3. The Government of the Republic of Korea will make continued efforts to take further measures in line with the provisions stipulated in the Convention.

Zuid-Korea, 27 december 1984

The Government of the Republic of Korea, having examined the said Convention, hereby ratifies the Convention considering itself not bound by the provisions of [...] and sub-paragraph [...] (g) of paragraph 1 of article 16 of the Convention.

Bezwaar door Duitsland, 10 juli 1985

The Federal Republic of Germany considers that the reservations made by the Republic of Korea regarding [...] and article 16, paragraph 1 [...] and (g), are incompatible with the object and purpose of the Convention (article 28, paragraph 2) and therefore objects to them. In relation to the Federal Republic of Germany, they may not be invoked in support of a legal practice which does not pay due regard to the legal status afforded to women and children in the Federal Republic of Germany in conformity with the above-mentioned articles of the Convention. This objection shall not preclude the entry into force of the Convention as between the Republic of Korea and the Federal Republic of Germany.

Bezwaar door Mexico, 6 juni 1985

The Government of the United Mexican States has studied the content of the reservations made by Republic of Korea to [...] and article 16, paragraph 1 [...] and (g) of the Convention and has concluded that they should be considered invalid in the light of article 28, paragraph 2, of the Convention, because they are incompatible with its object and purpose.

Indeed, these reservations, if implemented, would inevitably result in discrimination against women on the basis of sex, which is contrary to all the articles of the Convention. The principles of equal rights of men and women and non-discrimination on the basis of sex, which are set forth in the Charter of the United Nations as one of its purposes in the Universal Declaration of Human Rights of 1948 and in various multilateral instruments, have already become general principals of international law which apply to the international community, to which the Republic of Korea belongs.

The objection of the Government of the United Mexican States to the reservations in question should not be interpreted as an impediment to the entry into force of the 1979 Convention between the United Mexican States and Republic of Korea.

Bezwaar door **Nederlanden, het Koninkrijk der**, 23 juli 1991
The Government of the [...] and article 16, paragraph 1 [...] and (g), are incompatible with the object and purpose of the Convention (article 28, paragraph 2).

These objections shall not preclude the entry into force of the Convention as between the Republic of Korea and the Kingdom of the Netherlands.

Bezwaar door Zweden, 17 maart 1986

The Government of Sweden considers that the reservations regarding [...] and article 16, paragraph 1 [...] and (g) are incompatible with the object and purpose of the Convention (article 28, paragraph 2) and therefore objects to them.

In this context the Government of Sweden wishes to take this opportunity to make the observation that the reason why reservations incompatible with the object and purpose of a treaty are not acceptable is precisely that otherwise they would render a basic international obligation of a contractual nature meaningless. Incompatible reservations, made in respect of the Convention on the elimination of all forms of discrimination against women, do not only cast doubts on the commitments of the reserving states to the objects and purpose of this Convention, but moreover, contribute to undermine the basis of international contractual law. It is in the common interest of states that treaties to which they have chosen to become parties also are respected, as to object and purpose, by other parties.

Zwitserland, 27 maart 1997

[...]

c) Reservation concerning article 15, paragraph 2, and article 16, paragraph 1 (h):

Said provisions shall be applied subject to several interim provisions of the matrimonial regime (Civil Code, articles 9 (e) and 10, final section).

Wijziging van 22 december 1995

Zie rubriek J van *Trb.* 1996, 97.

Partij	Onder-tekening	Ratificatie	Type*	In werking	Opzeg-ging	Buiten werking
Albanië		20-05-11	R			
Andorra		14-10-02	R			
Argentinië		09-07-09	R			
Australië		04-06-98	R			

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Azerbeidzjan		23-05-08	R			
Bahama's		17-01-03	R			
Bangladesh		03-05-07	R			
Bosnië en Herzegovina		10-05-12	R			
Brazilië		05-03-97	R			
Bulgarije		15-09-10	R			
Canada		03-11-97	R			
Chili		08-05-98	R			
China		10-07-02	R			
Cookeilanden		27-11-07	R			
Costa Rica		27-04-09	R			
Cuba		07-03-08	R			
Cyprus		30-07-02	R			
Denemarken		12-03-96	R			
Duitsland		25-02-02	R			
Ecuador		22-12-11	R			
Egypte		02-08-01	R			
Filipijnen		12-11-03	R			
Finland		18-03-96	R			
Frankrijk		08-08-97	R			
Georgië		30-09-05	R			
Grenada		12-12-07	R			
Griekenland		08-01-13	R			
Guatemala		03-06-99	R			
Ierland		11-06-04	R			
IJsland		08-05-02	R			
Italië		31-05-96	R			

Partij	Onder- tekening	Ratificatie	Type [*]	In werking	Opzeg- ging	Buiten werking
Japan		12-06-03	R			
Jordanië		11-01-02	R			
Koeweit		23-05-11	R			
Kroatië		24-10-03	R			
Lesotho		12-11-01	R			
Liberia		16-09-05	R			
Liechtenstein		15-04-97	R			
Litouwen		05-08-04	R			
Luxemburg		01-07-03	R			
Madagaskar		19-07-96	R			
Malediven		07-02-02	R			
Mali		20-06-02	R			
Malta		05-03-97	R			
Marokko		31-03-10	R			
Mauritius		29-10-02	R			
Mexico		16-09-96	R			
Moldavië		21-12-12	R			
Mongolië		19-12-97	R			
Nauru		23-06-11	R			
Nederlanden, het Koninkrijk der – Nederland: – in Europa – Bonaire – Sint Eustatius – Saba – Aruba – Curaçao – Sint Maarten		10-12-97 – – – 10-12-97 – –	R R			
Nieuw-Zeeland		26-09-96	R			
Niger		01-05-02	R			
Noorwegen		29-03-96	R			

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Oostenrijk		11-09-00	R			
Panama		05-11-96	R			
Polen		23-12-10	R			
Portugal		08-01-02	R			
Singapore		30-08-10	R			
Slovenië		10-11-06	R			
Spanje		26-01-10	R			
Tsjechië		30-06-11	R			
Turkije		09-12-99	R			
Uruguay		08-01-04	R			
Verenigd Koninkrijk		19-11-96	R			
Zuid-Korea		12-08-96	R			
Zweden		17-07-96	R			
Zwitserland		02-12-97	R			

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

Uitbreidingen

Verenigd Koninkrijk

Uitgebreid tot	In werking	Buiten werking
Britse Maagdeneilanden		
Falklandeilanden		
Man		
Turks- en Caicoseilanden		

Verklaringen, voorbehouden en bezwaren

Verenigd Koninkrijk, 19 november 1996

With a territorial application to the Isle of Man, British Virgin Islands, Falkland Islands (Malvinas) and Turks and Caicos Islands.

Bezwaar door Argentinië, 9 juli 2009

The Argentine Republic recalls that the Malvinas Islands, South Georgia and South Sandwich Islands are an integral part of Argentine national territory and are illegally occupied by the United Kingdom of Great Britain and Northern Ireland, being the object of a dispute over sovereignty between that country and Argentina that is recognized by various international organizations.

The illegal occupation by the United Kingdom of Great Britain and Northern Ireland has led to the adoption by the United Nations General Assembly of the following resolutions: 2065 (XX), 3160 (XXVIII), 31/49, 37/9, 38/12, 39/6, 40/21, 41/40, 42/19 and 43/25, concerning the question of the Malvinas Islands, all of which recognize the existence of a dispute over sovereignty and urge the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland to resume negotiations in order to find a just, peaceful and definitive solution to that dispute at the earliest possible opportunity. Furthermore, the United Nations Special Committee on Decolonization has repeatedly affirmed this position, most recently in the resolution that was adopted on 12 June 2008.

G. INWERKINGTREDING

Zie *Trb.* 1991, 134.

J. VERWIJZINGEN

Zie voor verwijzingen en overige verdragsgegevens *Trb.* 1980, 146, *Trb.* 1991, 134, *Trb.* 1995, 90 en *Trb.* 1996, 97.

Verbanden

Het Verdrag wordt aangevuld door:

- | | |
|---------------------|---|
| Titel | : Facultatief Protocol bij het Verdrag inzake de uitbanning van alle vormen van discriminatie van vrouwen; New York, 6 oktober 1999 |
| Tekst | : <i>Trb.</i> 2000, 99 (Engels, Frans en vertaling) |
| Laatste <i>Trb.</i> | : <i>Trb.</i> 2002, 131 |

Overige verwijzingen

- Titel : Handvest van de Verenigde Naties;
San Francisco, 26 juni 1945
Laatste *Trb.* : *Trb.* 2014, 112
- Titel : Statuut van het Internationaal Gerechtshof;
San Francisco, 26 juni 1945
Laatste *Trb.* : *Trb.* 2012, 128
- Titel : Internationaal Verdrag inzake burgerrechten en poli-
tieke rechten;
New York, 16 december 1966
Laatste *Trb.* : *Trb.* 2012, 69

Uitgegeven de zestiende juni 2014.

De Minister van Buitenlandse Zaken,

F.C.G.M. TIMMERMANS