

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2012 Nr. 69

A. TITEL¹⁾

*Internationaal Verdrag inzake burgerrechten en politieke rechten;
(met Facultatief Protocol)
New York, 16 december 1966*

B. TEKST

De Engelse en de Franse tekst van het Verdrag, met Facultatief Protocol, zijn geplaatst in *Trb.* 1969, 99.

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

Op blz. 8, in artikel 6, derde lid, op één na laatste regel, dient het woord „Covention” te worden gewijzigd in „Convention”.

Op blz. 30, in artikel 41, eerste lid, zesde regel, dient het woord „recieved” te worden gewijzigd in „received”.

Op blz. 62, in artikel 11, derde lid, eerste regel, dient het woord „admendments” te worden gewijzigd in „amendments”.

C. VERTALING

Zie *Trb.* 1978, 177.

In dat Tractatenblad dient de volgende correctie te worden aangebracht.

Op blz. 18, in artikel 41, eerste lid, onderdeel (h), dient het woord „kachtens” te worden gewijzigd in „krachtens”.

¹⁾ Ten onrechte is in eerdere Tractatenbladen 19 december 1966 als datum van totstandkoming genoemd.

D. PARLEMENT

Zie *Trb.* 1978, 177.

E. PARTIJGEGEVENS**Verdrag**

Zie de rubrieken E en F van *Trb.* 1969, 99.

Partij	Onder- tekening	Ratificatie	Type ^o	In werking	Opzeg- ging	Buiten werking
Afghanistan		24-01-83	T	24-04-83		
Albanië		04-10-91	T	04-01-92		
Algerije	10-12-68	12-09-89	R	12-12-89		
Andorra	05-08-02	22-09-06	R	22-12-06		
Angola		10-01-92	T	10-04-92		
Argentinië	19-02-68	08-08-86	R	08-11-86		
Armenië		23-06-93	T	23-09-93		
Australië	18-12-72	13-08-80	R	13-11-80		
Azerbeidzjan		13-08-92	T	13-11-92		
Bahama's	04-12-08	23-12-08	R	23-03-09		
Bahrein		20-09-06	T	20-12-06		
Bangladesh		06-09-00	T	06-12-00		
Barbados		05-01-73	T	23-03-76		
Belarus	19-03-68	12-11-73	R	12-02-74		
België	10-12-68	21-04-83	R	21-07-83		
Belize		10-06-96	T	10-09-96		
Benin		12-03-92	T	12-06-92		
Bolivia		12-08-82	T	12-11-82		
Bosnië en Herzegovina		01-09-93	VG	06-03-92		
Botswana	08-09-00	08-09-00	R	08-12-00		
Brazilië		24-01-92	T	24-04-92		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Bulgarije	08-10-68	21-09-70	R	23-03-76		
Burkina Faso		04-01-99	T	04-04-99		
Burundi		09-05-90	T	09-08-90		
Cambodja	17-10-80	26-05-92	T	26-08-92		
Canada		19-05-76	T	19-08-76		
Centraal Afrikaanse Republiek		08-05-81	T	08-08-81		
Chili	16-09-69	10-02-72	R	23-03-76		
China	05-10-98					
Colombia	21-12-66	29-10-69	R	23-03-76		
Comoren, de	25-09-08					
Congo, Democratische Republiek		01-11-76	T	01-02-77		
Congo, Republiek		05-10-83	T	05-01-84		
Costa Rica	19-12-66	29-11-68	R	23-03-76		
Cuba	28-02-08					
Cyprus	19-12-66	02-04-69	R	23-03-76		
Denemarken	20-03-68	06-01-72	R	23-03-76		
Djibouti		05-11-02	T	05-02-03		
Dominica		17-06-93	T	17-09-93		
Dominicaanse Republiek, de		04-01-78	T	04-04-78		
Duitsland	09-10-68	17-12-73	R	23-03-76		
Ecuador	04-04-68	06-03-69	R	23-03-76		
Egypte	04-08-67	14-01-82	R	14-04-82		
El Salvador	21-09-67	30-11-79	R	01-03-80		
Equatoriaal Guinee		25-09-87	T	25-12-87		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Eritrea		22-01-02	T	22-04-02		
Estland		21-10-91	T	21-01-92		
Ethiopië		11-06-93	T	11-09-93		
Filipijnen, de	19-12-66	23-10-86	R	23-01-87		
Finland	11-10-67	19-08-75	R	23-03-76		
Frankrijk		04-11-80	T	04-02-81		
Gabon		21-01-83	T	21-04-83		
Gambia		22-03-79	T	22-06-79		
Georgië		03-05-94	T	03-08-94		
Ghana	07-09-00	07-09-00	R	07-12-00		
Grenada		06-09-91	T	06-12-91		
Griekenland		05-05-97	T	05-08-97		
Guatemala		05-05-92	T	05-08-92		
Guinee	28-02-67	24-01-78	R	24-04-78		
Guinee-Bissau	12-09-00	01-11-10	R	01-02-11		
Guyana	22-08-68	15-02-77	R	15-05-77		
Haïti		06-02-91	T	06-05-91		
Honduras	19-12-66	25-08-97	R	25-11-97		
Hongarije	25-03-69	17-01-74	R	23-03-76		
Ierland	01-10-73	08-12-89	R	08-03-90		
IJsland	30-12-68	22-08-79	R	22-11-79		
India		10-04-79	T	10-07-79		
Indonesië		23-02-06	T	23-05-06		
Irak	18-02-69	25-01-71	R	23-03-76		
Iran	04-04-68	24-06-75	R	23-03-76		
Israël	19-12-66	03-10-91	R	03-01-92		
Italië	18-01-67	15-09-78	R	15-12-78		
Ivoorkust		26-03-92	T	26-06-92		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Jamaica	19-12-66	03-10-75	R	23-03-76		
Japan	30-05-78	21-06-79	R	21-09-79		
Jemen		09-02-87	T	09-05-87		
Joegoslavië (< 25-06-1991)	08-08-67	02-06-71	R	23-03-76		
Jordanië	30-06-72	28-05-75	R	23-03-76		
Kaapverdië		06-08-93	T	06-11-93		
Kameroen		27-06-84	T	27-09-84		
Kazachstan	02-12-03	24-01-06	R	24-04-06		
Kenia		01-05-72	T	23-03-76		
Koeweit		21-05-96	T	21-08-96		
Kroatië		12-10-92	VG	08-10-91		
Kyrgyzstan		07-10-94	T	07-01-95		
Laos	07-12-00	25-09-09	R	25-12-09		
Lesotho		09-09-92	T	09-12-92		
Letland		14-04-92	T	14-07-92		
Libanon		03-11-72	T	23-03-76		
Liberia	18-04-67	22-09-04	R	22-12-04		
Libië		15-05-70	T	23-03-76		
Liechtenstein		10-12-98	T	10-03-99		
Litouwen		20-11-91	T	20-02-92		
Luxemburg	26-11-74	18-08-83	R	18-11-83		
Macedonië, Voormalige Joegoslavische Republiek		18-01-94	VG	17-11-91		
Madagaskar	17-09-69	21-06-71	R	23-03-76		
Malawi		22-12-93	T	22-03-94		
Maldiven, de		19-09-06	T	19-12-06		
Mali		16-07-74	T	23-03-76		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Malta		13-09-90	T	13-12-90		
Marokko	19-01-77	03-05-79	R	03-08-79		
Mauritanië		17-11-04	T	17-02-05		
Mauritius		12-12-73	T	23-03-76		
Mexico		23-03-81	T	23-06-81		
Moldavië		26-01-93	T	26-04-93		
Monaco	26-06-97	28-08-97	R	28-11-97		
Mongolië	05-06-68	18-11-74	R	23-03-76		
Montenegro		23-10-06	VG	03-06-06		
Mozambique		21-07-93	T	21-10-93		
Namibië		28-11-94	T	28-02-95		
Nauru	12-11-01					
Nederlanden, het Koninkrijk der – Nederland: – in Europa – Bonaire – Sint Eustatius – Saba – Aruba – Curaçao – Sint Maarten	25-06-69	11-12-78 – – – – – –	R	11-03-79 10-10-10 10-10-10 10-10-10 01-01-86 10-10-10 10-10-10		
Nepal		14-05-91	T	14-08-91		
Nicaragua		12-03-80	T	12-06-80		
Nieuw-Zeeland	12-11-68	28-12-78	R	28-03-79		
Niger		07-03-86	T	07-06-86		
Nigeria		29-07-93	T	29-10-93		
Noord-Korea		14-09-81	T	14-12-81		
Noorwegen	20-03-68	13-09-72	R	23-03-76		
Oekraïne	20-03-68	12-11-73	R	23-03-76		
Oezbekistan		28-09-95	T	28-12-95		
Oost-Timor		18-09-03	T	18-12-03		

Partij	Onder- tekening	Ratificatie	Type ^a	In werking	Opzeg- ging	Buiten werking
Oostenrijk	10-12-73	10-09-78	R	10-12-78		
Palau	20-09-11					
Pakistan	17-04-08	23-06-10	R	23-09-10		
Panama	27-07-76	08-03-77	R	08-06-77		
Papua-Nieuw Guinea		21-07-08	T	21-10-08		
Paraguay		10-06-92	T	10-09-92		
Peru	11-08-77	28-04-78	R	28-07-78		
Polen	02-03-67	18-03-77	R	18-06-77		
Portugal	07-10-76	15-06-78	R	15-09-78		
Roemenië	27-06-68	09-12-74	R	23-03-76		
Russische Federatie	18-03-68	16-10-73	R	23-03-76		
Rwanda		16-04-75	T	23-03-76		
Saint Lucia	22-09-11					
Saint Vincent en de Grenadines		09-11-81	T	09-02-82		
Samoa		15-02-08	T	15-05-08		
San Marino		18-10-85	T	18-01-86		
Sao Tomé en Principe	31-10-95					
Senegal	06-07-70	13-02-78	R	13-05-78		
Servië		12-03-01	VG	27-04-92		
Seychellen, de		05-05-92	T	05-08-92		
Sierra Leone		23-08-96	T	23-11-96		
Slovenië		06-07-92	VG	25-06-91		
Slowakije		28-05-93	VG	01-01-93		
Soedan		18-03-86	T	18-06-86		
Somalië		24-01-90	T	24-04-90		
Spanje	28-09-76	27-04-77	R	27-07-77		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Sri Lanka		11-06-80	T	11-09-80		
Suriname		28-12-76	T	28-03-77		
Swaziland		26-03-04	T	26-06-04		
Syrië		21-04-69	T	23-03-76		
Tadzjikistan		04-01-99	T	04-04-99		
Tanzania		11-06-76	T	11-09-76		
Thailand		29-10-96	T	29-01-97		
Togo		24-05-84	T	24-08-84		
Trinidad en Tobago		21-12-78	T	21-03-79		
Tsjaad		09-06-95	T	09-09-95		
Tsjechië		22-02-93	VG	01-01-93		
Tsjechoslowakije (<01-01-1993)	07-10-86	23-12-75	R	23-03-76		
Tunesië	30-04-68	18-03-69	R	23-03-76		
Turkije	15-08-00	23-09-03	R	23-12-03		
Turkmenistan		01-05-97	T	01-08-97		
Uganda		21-06-95	T	21-09-95		
Uruguay	21-02-67	01-04-70	R	23-03-76		
Vanuatu	29-11-07	21-11-08	R	21-02-09		
Venezuela	24-06-69	10-05-78	R	10-08-78		
Verenigd Koninkrijk, het	16-09-68	20-05-76	R	20-08-76		
Verenigde Staten van Amerika, de	05-10-77	08-06-92	R	08-09-92		
Vietnam		24-09-82	T	24-12-82		
Zambia		10-04-84	T	10-07-84		
Zimbabwe		13-05-91	T	13-08-91		
Zuid-Afrika	03-10-94	10-12-98	R	10-03-99		
Zuid-Korea		10-04-90	T	10-07-90		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Zweden	29-09-67	06-12-71	R	23-03-76		
Zwitserland		18-06-92	T	18-09-92		

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

Uitbreidingen

China

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

Portugal

Uitgebreid tot	In werking	Buiten werking
Macau (<20-12-1999)	27-04-1993	20-12-1999

Verenigd Koninkrijk, het

Uitgebreid tot	In werking	Buiten werking
Belize (< 21-09-1981)	20-08-1976	21-09-1981
Bermuda	20-08-1976	
Britse Maagdeneilanden	20-08-1976	
Caymaneilanden	20-08-1976	
Falklandeilanden	20-08-1976	
Gibraltar	20-08-1976	
Guernsey	20-08-1976	
Hongkong (< 01-07-1997)	20-08-1976	01-07-1997
Jersey	20-08-1976	
Kiribati (< 12-07-1979)	20-08-1976	12-07-1979
Man	20-08-1976	

Uitgebreid tot	In werking	Buiten werking
Montserrat	20-08-1976	
Pitcairneilanden	20-08-1976	
Salomonseilanden (< 07-07-1978)	20-08-1976	07-07-1978
Sint-Helena, Ascension en Tristan da Cunha	20-08-1976	
Turks- en Caicos-eilanden	20-08-1976	
Tuvalu (< 01-10-1978)	20-08-1976	01-10-1978

Verklaringen, voorbehouden en bezwaren

Afghanistan, 24 januari 1983

The presiding body of the Revolutionary Council of the Democratic Republic of Afghanistan declares that the provisions of paragraphs 1 and 3 of article 48 of the International Covenant on Civil and Political Rights and provisions of paragraphs 1 and 3 of article 26 of the International Covenant on Economic, Social and Cultural Rights, according to which some countries cannot join the aforesaid Covenants, contradicts the International character of the aforesaid Treaties. Therefore, according to the equal rights of all States to sovereignty, both Covenants should be left open for the purpose of the participation of all States.

Algerije, 12 september 1989

[The Government of the Democratic People's Republic of Algeria] recognizes the competence of the Human Rights Committee referred to in article 28 of the Covenant to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Covenant.

1. The Algerian Government interprets article 1, which is common to the two Covenants, as in no case impairing the inalienable right of all peoples to self-determination and to control over their natural wealth and resources.

It further considers that the maintenance of the State of dependence of certain territories referred to in article 1, paragraph 3, of the two Covenants and in article 14 of the Covenant on Economic, Social and Cultural Rights is contrary to the purposes and principles of the United Nations, to the Charter of the Organization and to the Declaration on the Granting of Independence to Colonial Countries and Peoples [General Assembly resolution 1514 (XV)].

2. The Algerian Government interprets the provisions of [...] article 22 of the Covenant on Civil and Political Rights as making the law the framework for action by the State with respect to the organization and exercise of the right to organize.

[...]

4. The Algerian Government interprets the provisions of article 23, paragraph 4, of the Covenant on Civil and Political Rights regarding the rights and responsibilities of spouses as to marriage, during marriage and at its dissolution as in no way impairing the essential foundations of the Algerian legal system.

Bezwaar door Duitsland, 25 oktober 1990

[The Federal Republic of Germany] interprets the declaration under paragraph 2 to mean that the latter is not intended to eliminate the obligation of Algeria to ensure that the rights guaranteed in article 8, paragraph 1, of the International Covenant on Economic, Social and Cultural Rights and in article 22 of the International Covenant on Civil and Political Rights may be restricted only for the reasons mentioned in the said articles and that such restrictions shall be prescribed by law.

It interprets the declaration under paragraph 4 to mean that Algeria, by referring to its domestic legal system, does not intend to restrict its obligation to ensure through appropriate steps equality of rights and responsibilities of spouses as to marriage, during marriage and at its dissolution.

Bezwaar door **Nederlanden, het Koninkrijk der**, 18 maart 1991

In the opinion of the Government of the Kingdom of the Netherlands, the interpretative declaration concerning article 23, paragraph 4 of the International Covenant on Civil and Political Rights (adopted by the General Assembly of the United Nations on 16 December 1966) must be regarded as a reservation to the Covenant. From the text and history of the Covenant it follows that the reservation with respect to article 23, paragraph 4 made by the Government of Algeria is incompatible with the object and purpose of the Covenant. The Government of the Kingdom of the Netherlands therefore considers the reservation unacceptable and formally raises an objection to it.

[This objection is] not an obstacle to the entry into force of [the Covenant] between the Kingdom of the Netherlands and Algeria.

Bezwaar door Portugal, 26 oktober 1990

The Government of Portugal hereby presents its formal objection to the interpretative declarations made by the Government of Algeria upon ratification of the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights. The Government of Portugal having examined the contents of the

said declarations reached the conclusion that they can be regarded as reservations and therefore should be considered invalid as well as incompatible with the purposes and object of the Covenants.

This objection shall not preclude the entry into force of the Covenants between Portugal and Algeria.

Argentinië, 8 augustus 1986

The Argentine Government states that the application of the second part of article 15 of the International Covenant on Civil and Political Rights shall be subject to the principle laid down in article 18 of the Argentine National Constitution.

The instrument contains a declaration under article 41 of the Covenant by which the Government of Argentina recognizes the competence of the Human Rights Committee established by virtue of the International Covenant on Civil and Political Rights.

Australië, 13 augustus 1980

Article 10

In relation to paragraph 2 (a) the principle of segregation is accepted as an objective to be achieved progressively. In relation to paragraph 2 (b) and 3 (second sentence) the obligation to segregate is accepted only to the extent that such segregation is considered by the responsible authorities to be beneficial to the juveniles or adults concerned.

Article 14

Australia makes the reservation that the provision of compensation for miscarriage of justice in the circumstances contemplated in paragraph 6 of article 14 may be by administrative procedures rather than pursuant to specific legal provision.

Article 20

Australia interprets the rights provided for by articles 19, 21 and 22 as consistent with article 20; accordingly, the Commonwealth and the constituent States, having legislated with respect to the subject matter of the article in matters of practical concern in the interest of public order (ordre public), the right is reserved not to introduce any further legislative provision on these matters.

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.

Bezwaar door **Nederlanden, het Koninkrijk der**, 17 september 1981

- I. Reservation by Australia regarding articles 2 and 50
The reservation that article 2, paragraphs 2 and 3, and article 50 shall be given effect consistently with and subject to the provisions in article 2, paragraph 2, is acceptable to the Kingdom on the understanding that it will in no way impair Australia's basic obligation under international law, as laid down in article 2, paragraph 1, to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the International Covenant on Civil and Political Rights.
- II. Reservation by Australia regarding article 10
The Kingdom is not able to evaluate the implications of the first part of the reservation regarding article 10 on its merits, since Australia has given no further explanation on the laws and lawful arrangements, as referred to in the text of the reservation. In expectation of further clarification by Australia, the Kingdom for the present reserves the right to raise objection to the reservation at a later stage.
- III. Reservation by Australia regarding "Convicted Persons"
The Kingdom finds it difficult, for the same reasons as mentioned in its commentary on the reservation regarding article 10, to accept the declaration by Australia that it reserves the right not to seek amendment of laws now in force in Australia relating to the rights of persons who have been convicted of serious criminal offences. The Kingdom expresses the hope it will be possible to gain a more detailed insight in the laws now in force in Australia, in order to facilitate a definitive opinion on the extent of this reservation.

Australië, 6 november 1984

The Government of Australia notifies the Secretary-General of its decision to withdraw the reservations and declarations made upon ratification with regard to articles 2 and 50, 17, 19, 25 and to partially withdraw its reservations to articles 10 and 14.

Australië, 28 januari 1993

The Government of Australia declares that it recognizes, for and on behalf of Australia, the competence of the Committee to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the aforesaid Convention.

Bahama's, 23 december 2008

The Government of The Bahamas recognizes and accepts the principle of compensation for wrongful imprisonment contained in paragraph 6 of article 14, but the problems of implementation are such that the right not to apply that principle is presently reserved.

Bahrein, 4 december 2006

1. The Government of the Kingdom of Bahrain interprets the Provisions of Article 3, (18) and (23) as not affecting in any way the prescriptions of the Islamic Shariah.

2. The Government of the Kingdom of Bahrain interprets the provisions of Article (9), Paragraph (5) as not detracting from its right to layout the basis and rules of obtaining the compensation mentioned in this Paragraph.

3. The Government of the Kingdom of Bahrain interprets Article (14) Paragraph (7) as no obligation arise from it further those set out in Article (10) of the Criminal Law of Bahrain which provides:

“Legal Proceedings cannot be instated against a person who has been acquitted by Foreign Courts from offenses of which he is accused or a final judgement has been delivered against him and the said person fulfilled the punishment or the punishment has been abolished by prescription.”

Bahrein, 28 december 2006 (depositaire mededeling)

In keeping with the depositary practice followed in similar cases, the Secretary-General proposed to receive the reservation in question for deposit in the absence of any objection on the part of any of the Contracting States, either to the deposit itself or to the procedure envisaged, within a period of 12 months from the date of the relevant depositary notification. In the absence of any such objection, the above reservation would be accepted in deposit upon the expiration of the above-stipulated 12 month period, that is on 28 December 2007. In view of the above and in keeping with the depositary practice followed in such cases, the Secretary-General is not in a position to accept the reservation made by Bahrain for deposit.

Bezwaar door Australië, 18 september 2007

The Government of Australia has examined the reservation made by the Kingdom of Bahrain to the International Covenant on Civil and Political Rights. As the reservations were made after the accession of the Kingdom of Bahrain to the Covenant, the Government of Australia considers that the reservations were late and therefore inconsistent with article 19 of the Vienna Convention on the Law of Treaties.

The Government of Australia considers that the reservation with respect to articles 3, 18 and 23 of the Covenant is a reservation incompatible with the object and purpose of the Covenant. The

Government of Australia recalls 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 is not 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 Australia considers that the Kingdom of Bahrain is, through this reservation, purporting to make the application of the International Covenant on Civil and Political Rights subject to Islamic Shariah law. As a result, it is unclear to what extent the Kingdom of Bahrain considers itself bound by the obligations of the Covenant and therefore raises concerns as to the commitment of the Kingdom of Bahrain to the object and purpose of the Covenant.

The Government of Australia recalls the general principle of treaty interpretation, codified in the Vienna Convention on the Law of Treaties, according to which a party may not invoke the provisions of its internal law as justification for its failure to perform a treaty.

Further, as regards the reservation with respect to article 18, the Government of Australia recalls that according to article 4 (2) of the Covenant, no derogation of article 18 is permitted.

The Government of Australia objects to all of the reservations made by the Kingdom of Bahrain as they were made after accession, and specifically objects to the content of the reservation on article 3, 18 and 23 made by the Kingdom of Bahrain to the International Covenant on Civil and Political Rights.

This objection shall not preclude the entry into force of the Covenant between Australia and the Kingdom of Bahrain.

Bezwaar door Canada, 18 september 2007

The Government of Canada has carefully examined the declaration made by the Government of the Kingdom of Bahrain upon acceding to the International Covenant on Civil and Political Rights, in accordance with which the Government of the Kingdom of Bahrain “interprets the Provisions of Article 3, 18 and 23 as not affecting in any way the prescriptions of the Islamic Shariah”.

The Government of Canada notes that these declarations constitute in reality reservations and that they should have been lodged at the time of accession by Bahrain to the Covenant.

The Government of Canada considers that by making the interpretation of articles 3, 18 and 23 of the Covenant subject to the prescriptions of the Islamic Shariah, the Government of the

Kingdom of Bahrain is formulating reservations with a general, indeterminate scope, such that they make it impossible to identify the modifications to obligations under the Covenant, which they purport to introduce and they do not clearly define for the other States Parties to the Convention the extent to which the reserving State has accepted the obligations of the Convention. The Government of Canada notes that the reservations made by the Government of the Kingdom of Bahrain, addressing some of the most essential provisions of the Covenant, and aiming to exclude the obligations under those provisions, are in contradiction with the object and purpose of the Covenant. In addition, article 18 of the Covenant is among the provisions from which no derogation is allowed, according to article 4 of the Covenant. The Government of Canada therefore objects to the aforesaid reservation made by the Government of the Kingdom of Bahrain. This objection does not preclude the entry into force in its entirety of the Covenant between Canada and the Kingdom of Bahrain.

Bezwaar door Estland, 12 september 2007

The Government of Estonia has carefully examined the reservations made by the Kingdom of Bahrain to the International Covenant on Civil and Political Rights. Since the reservations were made after the accession of the Kingdom of Bahrain to the Covenant, the Government of Estonia considers that the reservations were late and therefore inconsistent with international customary law as codified into Article 19 of the Vienna Convention on the Law of Treaties.

Furthermore, the reservations made by the Kingdom of Bahrain to Articles 3, 18 and 23 of the Covenant make a general reference to the prescriptions of the Islamic Shariah. The Government of Estonia is of the view that in the absence of any further clarification, the reservation makes it unclear to what extent the Kingdom of Bahrain considers itself bound by the obligations of the Convention and therefore raises concerns as to the commitment of the Kingdom of Bahrain to the object and purpose of the Covenant.

Therefore, the Government of Estonia objects to all of the reservations made by the Kingdom of Bahrain to the International Covenant on Civil and Political Rights since they were made after the accession, and specifically objects to the content of the reservations to Articles 3, 18 and 23.

Nevertheless, this objection shall not preclude the entry into force of the International Covenant on Civil and Political Rights as between Estonia and the Kingdom of Bahrain.

Bezwaar door Hongarije, 4 december 2007

The Government of the Republic of Hungary has carefully examined the contents of the reservation made by the Kingdom of Bahrain to the International Covenant on Civil and Political Rights, adopted on 16 December 1966, in respect of Articles 3, 18 and 23 thereof. Since the reservation was made after the accession of the Kingdom of Bahrain to the Covenant, the Government of the Republic of Hungary considers that the reservation was too late and therefore inconsistent with article 19 of the Vienna Convention on the Law of Treaties.

Furthermore the Government of the Republic of Hungary is of the opinion that the aforementioned reservation is in contradiction with the general principle of treaty interpretation according to which a State party to a treaty may not invoke the provisions of its internal law as justification for failure to perform according to the obligations set out by the treaty. Furthermore, the reservation consists of a general reference to the Constitution without specifying its content and as such does not clearly define to other Parties to the Covenant the extent to which the reserving State commits itself to the Covenant.

The Government of the Republic of Hungary recalls that 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. 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 Republic of Hungary therefore objects to the aforesaid reservation made by the Kingdom of Bahrain to the Covenant. This objection shall not preclude the entry into force of the Covenant between the Republic of Hungary and the Kingdom of Bahrain.

Bezwaar door Ierland, 27 september 2007

The Government of Ireland has examined the reservations made on 4 December 2006 by the Government of the Kingdom of Bahrain to the International Covenant on Civil and Political Rights. The Government of Ireland notes that the reservation was not made by the Kingdom of Bahrain at the time of its accession to the International Covenant on Civil and Political Rights on 20 September 2006.

The Government of Ireland further notes that the Kingdom of Bahrain subjects application of Articles 3, 18 and 23 of the International Covenant on Civil and Political Rights to the prescriptions of the Islamic Shariah. The Government of Ireland is of the

view that a reservation which consists of a general reference to religious law may cast doubts on the commitment of the reserving State to fulfil its obligations under the Covenant. 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 Covenant. The Government of Ireland also notes that the Kingdom of Bahrain does not consider that Article 9 (5) detracts from its right to layout the basis and rules of obtaining the compensation mentioned therein. The Government of Ireland is of the view that a reservation which is vague and general in nature as to the basis and rules referred to may similarly make it unclear to what extent the reserving State considers itself bound by the obligations of the Covenant and cast doubts on the commitment of the reserving State to fulfil its obligations under the Covenant.

The Government of Ireland further notes that the Kingdom of Bahrain considers that no obligation arises from Article 14 (7) beyond those contained in Article 10 of its national Criminal Law. The Government of Ireland is of the view that such a reservation may cast doubts on the commitment of the reserving State to fulfil its obligations under the Covenant and may undermine the basis of international treaty law.

The Government of Ireland therefore objects to the aforesaid reservations made by the Government of the Kingdom of Bahrain to the International Covenant on Civil and Political Rights.

This objection shall not preclude the entry into force of the Covenant between Ireland and the Kingdom of Bahrain.

Bezwaar door Italië, 1 november 2007

The Government of Italy has examined the reservation made by the Government of the Kingdom of Bahrain to Articles 3, 18 and 23 of the International Covenant on Civil and Political Rights.

The Government of Italy considers that the reservation of the Government of the Kingdom of Bahrain, whereby it excludes any interpretation of the provisions of Articles 3, 18 and 23, which would affect the prescription of the Islamic Shariah, does not clearly define the extent to which the reserving State has accepted the obligation under these Articles.

This reservation raises serious doubts about the real extent of the commitment undertaken by the Government of the Kingdom of Bahrain and is capable of contravening the object and purpose of the Covenant.

The Government of Italy therefore objects to the above-mentioned reservation made by the Government of the Kingdom of Bahrain. This objection, however, shall not preclude the entry into force of the Covenant between the Government of Italy and the Government of the Kingdom of Bahrain.

Bezwaar door Letland, 13 augustus 2007

The Government of the Republic of Latvia has noted that the reservation made by the Kingdom of Bahrain is submitted to the Secretary General on 4 December 2006, but the consent to be bound by the said Covenant by accession is expressed on 20 September 2006. In accordance with Article 19 of the Vienna Convention on the Law of Treaties reservations might be made upon signature, ratification, acceptance, approval or accession. Taking into considerations the aforementioned, the Government of the Republic of Latvia considers that the said reservation is not in force since its submission.

Bezwaar door Mexico, 13 december 2007

With regard to the reservations made by the Kingdom of Bahrain to various provisions, including articles 3, 18 and 23, the Permanent Mission of Mexico would like to state that the Government of Mexico has studied the content of Bahrain's reservation and is of the view that it should be considered invalid because it is incompatible with the object and purpose of the Covenant.

The reserve formulated, if applied, would have the unavoidable result of making implementation of the articles mentioned subject to the provisions of Islamic Shariah, which would constitute discrimination in the enjoyment and exercise of the rights enshrined in the Covenant; this is contrary to all the articles of this international instrument. The principles of the equality of men and women and non-discrimination are enshrined in the preamble and article 2, paragraph 2 of the Covenant and in the preamble and Article 1, paragraph 3 of the Charter of the United Nations.

The objection of the Government of Mexico to the reservation in question should not be interpreted as an impediment to the entry into force of the Covenant between Mexico and the Kingdom of Bahrain.

Bezwaar door **Nederlanden, het Koninkrijk der**, 27 juli 2007

The Government of the Kingdom of the Netherlands has examined the reservations made by the Kingdom of Bahrain to the International Covenant on Civil and Political Rights. Since the reservations were made after the accession of the Kingdom of Bahrain to the Covenant, the Government of the Kingdom of the Netherlands considers that the reservations were too late and therefore inconsistent with article 19 of the Vienna Convention on the Law of Treaties.

Furthermore, the reservation with respect to articles 3, 18 and 23 of the Covenant is a reservation incompatible with the object and purpose of the Covenant.

The Government of the Kingdom of the Netherlands considers that with this reservation the application of the International Covenant on Civil and Political Rights is made subject to the Islamic Shariah. This makes it unclear to what extent the Kingdom of Bahrain considers itself bound by the obligations of the Covenant and therefore raises concerns as to the commitment of the Kingdom of Bahrain to the object and purpose of the Covenant.

The Government of the Kingdom of the Netherlands recalls 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 is not 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 objects to all of the reservations made by the Kingdom of Bahrain since they were made after accession, and specifically objects to the content of the reservation on articles 3, 18 and 23 made by the Kingdom of Bahrain to the International Covenant on Civil and Political Rights. This objection shall not preclude the entry into force of the Covenant between the Kingdom of the Netherlands and the Kingdom of Bahrain.

Bezwaar door Polen, 3 december 2007

The Government of the Republic of Poland has examined the reservations made by the Kingdom of Bahrain after its accession to the International Covenant on Civil and Political Rights, opened for signature at New York on 19 December 1966, hereinafter called the Covenant, in respect of article 3, article 9 paragraph 5, article 14 paragraph 7, article 18 and article 23.

The Government of the Republic of Poland considers that the reservations made by the Kingdom of Bahrain are so called late reservations, since they were made after the date of accession of the Kingdom of Bahrain to the Covenant. Therefore the reservations are inconsistent with article 19 of the Vienna Convention on the Law of Treaties, which provides for the possibility of formulation of reservations only when signing, ratifying, accepting, approving or acceding to a treaty.

Furthermore, the Government of the Republic of Poland considers that as a result of reservations with respect to articles 3, 18 and 23 of the Covenant, the implementation of provisions of these articles by the Kingdom of Bahrain is made subject to the prescriptions of the Islamic Shariah, with the result that the extent to which the Kingdom of Bahrain has accepted the obligations of the said articles of the Covenant is not defined pre-

cisely enough for the other State Parties. The Republic of Poland considers that these reservations lead to differentiation in enjoyment of the rights warranted in the Covenant, which is incompatible with the purpose and object of the Covenant and therefore not permitted (article 19 c) of the Vienna Convention on the Law of Treaties).

The Government of the Republic of Poland therefore objects to the reservations made by the Kingdom of Bahrain. However this objection does not preclude the entry into force of the Covenant between the Republic of Poland and the Kingdom of Bahrain.”

Bezwaar door Portugal, 29 augustus 2007

The Government of the Portuguese Republic has carefully examined the reservations made by the Government of the Kingdom of Bahrain to the International Covenant on Civil and Political Rights (ICCPR). The Government of the Portuguese Republic notes that the reservations were made after the accession of the Kingdom of Bahrain to the Covenant and is of the view that the practice of late reservations should be discouraged.

According to the first part of the reservation, the Government of the Kingdom of Bahrain interprets the provisions of articles 3, 18 and 23 as not affecting in any way the prescriptions of the Islamic Shariah. These provisions deal namely with the questions of equality between men and women, freedom of thought, conscience and religion and the protection of family and marriage. Portugal considers that these articles are fundamental provisions of the Covenant and the first reservation makes it unclear to what extent the Kingdom of Bahrain considers itself bound by the obligations of the Covenant, raises concerns as to the commitment of the Kingdom of Bahrain to the object and purpose of the Covenant 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 mentioned reservation made by the Kingdom of Bahrain to the ICCPR.

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

Bezwaar door Slowakije, 18 december 2007

The Government of Slovakia has carefully examined the content of the reservations made by the Kingdom of Bahrain upon its accession to the International Covenant on Civil and Political Rights.

The Government of Slovakia is of the opinion that the reservation of the Kingdom of Bahrain, whereby it excludes any interpretation of the provisions of Articles 3, 18 and 23, which would affect the prescription of the Islamic Shariah, does not clearly define the extent to which the reserving State has accepted the obligation under these Articles. This reservation is too general and raises serious doubts as to the commitment of the Kingdom of Bahrain to the object and the purpose of the Covenant.

For these reasons, the Government of Slovakia objects to the above mentioned reservations made by the Government of the Kingdom of Bahrain upon its accession to the International Covenant on Civil and Political Rights.

This objection shall not preclude the entry into force of the Covenant between Slovakia and the Kingdom of Bahrain. The Covenant enters into force in its entirety between Slovakia and the Kingdom of Bahrain without the Kingdom of Bahrain benefiting from its reservations.

Bezwaar door Tsjechië, 12 september 2007

The Government of the Czech Republic has carefully examined the contents of reservation made by the Kingdom of Bahrain to the International Covenant on Civil and Political Rights, adopted on 16 December 1966, in respect of Articles 3, 18 and 23 thereof. Since the reservation was made after the accession of the Kingdom of Bahrain to the Covenant, the Government of the Czech Republic considers that the reservation was too late and therefore inconsistent with article 19 of the Vienna Convention on the Law of Treaties.

Furthermore the Government of the Czech Republic is of the opinion that the aforementioned reservation is in contradiction with the general principle of treaty interpretation according to which a State party to a treaty may not invoke the provisions of its internal law as justification for failure to perform according to the obligations set out by the treaty. Furthermore, the reservation consists of a general reference to the Constitution without specifying its content and as such does not clearly define to other Parties to the Covenant the extent to which the reserving State commits itself to the Covenant.

The Government of the Czech Republic recalls that 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 leg-

islative 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 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 reservation made by the Kingdom of Bahrain to the Covenant. This objection shall not preclude the entry into force of the Covenant between the Czech Republic and the Kingdom of Bahrain, without the Kingdom of Bahrain benefiting from its reservation.

Bezwaar door Verenigd Koninkrijk, het, 27 december 2007

The United Kingdom objects to Bahrain's reservations as they were made after the date of Bahrain's accession to the Covenant. The United Kingdom further objects to the substance of Bahrain's first reservation, to Articles 3, 18 and 23. In the view of the United Kingdom a reservation should clearly define for the other States Parties to the Covenant the extent to which the reserving State has accepted the obligations of the Covenant. A reservation which consists of a general reference to a system of law without specifying its contents does not do so.

These objections shall not preclude the entry into force of the Covenant between the United Kingdom of Great Britain and Northern Ireland and the Kingdom of Bahrain. However on account of their lateness the reservations shall have no effect as between Bahrain and the United Kingdom.

Bezwaar door Zweden, 3 december 2007

The Government of Sweden notes that the reservations made by the Kingdom of Bahrain were made after its accession to the Covenant. Since these reservations were formulated late they are to be considered inconsistent with the general principle of *pacta sunt servanda* as well as customary international law as codified in the Vienna Convention on the Law of Treaties.

Furthermore the Government of Sweden notes that the Government of the Kingdom of Bahrain has made a reservation with respect to articles 3, 18 and 23 giving precedence to the provisions of Islamic Shariah and national legislation over the application of the provisions of the Covenant. This reservation does not, in the opinion of the Government of Sweden, clearly specify the extent of the derogation by the Government of the Kingdom of Bahrain from the provisions in question and raises serious doubts as to the commitment of the Kingdom of Bahrain to the object and purpose of the Covenant.

The Government of Sweden would like to recall that, according to customary international law as codified in the Vienna Conven-

tion on the Law of Treaties, reservations 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 a 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 Sweden therefore objects to all of the reservations made by the Government of the Kingdom of Bahrain to the International Covenant on Civil and Political Rights, as they were made after accession, and specifically objects to the content of the reservations on articles 3, 18 and 23 made by the Government of the Kingdom of Bahrain to the Covenant, and considers them null and void.

This objection shall not preclude the entry into force of the Covenant [in] its entirety between the Kingdom of Bahrain and Sweden, without the Kingdom of Bahrain benefiting from its reservations.

Bangladesh, 6 september 2000

Article 14

The Government of the People's Republic of Bangladesh reserves the right not to apply paragraph 3 (d) of Article 14 in view of the fact, that, while the existing laws of Bangladesh provide that, in the ordinary course a person, shall be entitled to be tried in his presence, it also provides for a trial to be held in his absence if he is a fugitive offender, or is a person, who being required to appear before a court, fails to present himself or to explain the reasons for non-appearance to the satisfaction of the court.

Article 10:

So far as the first part of paragraph 3 of Article 10 relating to reformation and social rehabilitation of prisoners is concerned, Bangladesh does not have any facility to this effect on account of financial constraints and for lack of proper logistics support. The last part of this paragraph relating to segregation of juvenile offenders from adults is a legal obligation under Bangladesh law and is followed accordingly.

Article 11:

Article 11 providing that "no one shall be imprisoned merely on the ground of inability to fulfil a contractual obligation," is generally in conformity with the Constitutional and legal provisions in Bangladesh, except in some very exceptional circumstances, where the law provides for civil imprisonment in case of willful default in complying with a decree. The Government of People's Republic of Bangladesh will apply this article in accordance with its existing municipal law.

Article 14:

So far as the provision of legal assistance in paragraph 3(d) of Article 14 is concerned, a person charged with criminal offences is statutorily

entitled to legal assistance if he does not have the means to procure such assistance.

The Government of the People's Republic of Bangladesh, notwithstanding its acceptance of the principle of compensation for miscarriage of justice, as stipulated in Article 14, paragraph 6, is not in a position to guarantee a comprehensive implementation of this provision for the time being. However, the aggrieved has the right to realise compensation for miscarriage of justice by separate proceedings and in some cases, the court *suo moto* grants compensation to victims of miscarriage of justice. Bangladesh, however, intends to ensure full implementation of this provision in the near future.

Barbados, 5 januari 1973

The Government of Barbados states that it reserves the right not to apply in full, the guarantee of free legal assistance in accordance with paragraph 3 (d) of Article 14 of the Covenant, since, while accepting the principles contained in the same paragraph, the problems of implementation are such that full application cannot be guaranteed at present.

Belarus, 30 september 1992

The Republic of Belarus declares that it recognizes the competence of the Committee on Human Rights in accordance with article 41 of the International Covenant on Civil and Political Rights to receive and consider communications to the effect that a State Party to the International Covenant on Civil and Political Rights claims that another State Party is not fulfilling its obligations under the Covenant.

België, 21 april 1983

[...]

2. The Belgian Government considers that the provision of article 10, paragraph 2 (a), under which accused persons shall, save in exceptional circumstances, be segregated from convicted persons is to be interpreted in conformity with the principle, already embodied in the standard minimum rules for the treatment of prisoners [resolution (73) 5 of the Committee of Ministers of the Council of Europe of 19 January 1973], that untried prisoners shall not be put in contact with convicted prisoners against their will [rules 7 (b) and 85 (1)]. If they so request, accused persons may be allowed to take part with convicted persons in certain communal activities.

3. The Belgian Government considers that the provisions of article 10, paragraph 3, under which juvenile offenders shall be segregated from adults and be accorded treatment appropriate to their age and legal status refers exclusively to the judicial measures provided for under the régime for the protection of minors established by the Belgian Act relating to the protection of young persons. As regards other juvenile ordinary-law offenders, the Belgian Government intends to reserve the

option to adopt measures that may be more flexible and be designed precisely in the interest of the persons concerned.

4. With respect to article 14, the Belgian Government considers that the last part of paragraph 1 of the article appears to give States the option of providing or not providing for certain derogations from the principle that judgements shall be made public. Accordingly, the Belgian constitutional principle that there shall be no exceptions to the public pronouncements of judgements is in conformity with that provision. Paragraph 5 of the article shall not apply to persons who, under Belgian law, are convicted and sentenced at second instance following an appeal against their acquittal of first instance or who, under Belgian law, are brought directly before a higher tribunal such as the Court of Cassation, the Appeals Court or the Assize Court.

5. Articles 19, 21 and 22 shall be applied by the Belgian Government in the context of the provisions and restrictions set forth or authorized in articles 10 and 11 of the Convention for the Protection of Human Rights and Fundamental Freedoms of 4 November 1950, by the said Convention.

6. The Belgian Government declares that it does not consider itself obligated to enact legislation in the field covered by article 20, paragraph 1, and that article 20 as a whole shall be applied taking into account the rights to freedom of thought and religion, freedom of opinion and freedom of assembly and association proclaimed in articles 18, 19 and 20 of the Universal Declaration of Human Rights and reaffirmed in articles 18, 19, 21 and 22 of the Covenant.

7. The Belgian Government declares that it interprets article 23, paragraph 2, as meaning that the right of persons of marriageable age to marry and to found a family presupposes not only that national law shall prescribe the marriageable age but that it may also regulate the exercise of that right.

België, 5 maart 1987

The Kingdom of Belgium declares that it recognizes the competence of the Human Rights Committee under article 41 of the International Covenant on Civil and Political Rights.

België, 18 juni 1987

The Kingdom of Belgium declares, under article 41 of the International Covenant on Civil and Political Rights, that it recognizes the competence of the Human Rights Committee established under article 28 of the Covenant to receive and consider communications submitted by another State Party, provided that such State Party has, not less than twelve months prior to the submission by it of a communication relating to Belgium, made a declaration under article 41 recognizing the competence of the Committee to receive and consider communications relating to itself.

Belize, 10 juni 1996

(a) The Government of Belize reserves the right not to apply paragraph 2 of article 12 in view of the statutory provisions requiring persons intending to travel abroad to furnish tax clearance certificates;

(b) The Government of Belize reserves the right not to apply in full the guarantee of free legal assistance in accordance with paragraph 3 (d) of article 14, since, while it accepts the principle contained in that paragraph and at present applies it in certain defined cases, the problems of implementation are such that full application cannot be guaranteed at present;

(c) The Government of Belize recognizes and accepts the principle of compensation for wrongful imprisonment contained in paragraph 6 of article 14, but the problems of implementation are such that the right not to apply that principle is presently reserved.

Bosnië en Herzegovina, 1 september 1993

The Republic of Bosnia and Herzegovina in accordance with article 41 of the said Covenant, recognizes the competence of the Human Rights Committee to receive and consider communications submitted by another State Party to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Covenant.

Botswana, 8 september 2000

The Government of the Republic of Botswana considers itself bound by:
a) Article 7 of the Covenant to the extent that "torture, cruel, inhuman or degrading treatment" means torture inhuman or degrading punishment or other treatment prohibited by Section 7 of the Constitution of the Republic of Botswana.

b) Article 12 paragraph 3 of the Covenant to the extent that the provisions are compatible with Section 14 of the Constitution of the Republic of Botswana relating to the imposition of restrictions reasonably required in certain exceptional instances.

Bezwaar door Denemarken, 4 oktober 2001

The Government of Denmark has examined the contents of the reservations made by the Government of Botswana to the International Covenant on Civil and Political Rights. The reservations refer to legislation in force in Botswana as regards the scope of application of two core provisions of the Covenant, Articles 7 and 12 para.3. The Government of Denmark considers that the reservations raise doubts as to the commitment of Botswana to fulfill her obligations under the Covenant and are incompatible with the object and purpose of the Covenant.

For these reasons, the Government of Denmark objects to these reservations made by the Government of Botswana. This objection does not preclude the entry into force of the Covenant in its entirety between Botswana and Denmark without Botswana ben-

efiting from the reservations.

Bezwaar door Frankrijk, 15 oktober 2001

The Government of the French Republic has studied Botswana's reservations to the International Covenant on Civil and Political Rights. The purpose of the two reservations is to limit Botswana's commitment to articles 7 and 12, paragraph 3, of the Covenant to the extent to which these provisions are compatible with sections 7 and 14 of the Constitution of Botswana. The Government of the French Republic considers that the first reservation casts doubt upon Botswana's commitment and might nullify article 7 of the Covenant which prohibits in general terms torture and cruel, inhuman or degrading treatment or punishment. Consequently, the Government of the French Republic objects to the Government of Botswana's reservation to article 7 of the Covenant.

Bezwaar door Ierland, 11 oktober 2001

The Government of Ireland have examined the reservations made by the Government of the Republic of Botswana to Article 7 and to Article 12, paragraph 3 of the International Covenant on Civil and Political Rights.

These reservations invoke provisions of the internal law of the Republic of Botswana. The Government of Ireland are of the view that such reservations may cast doubts on the commitment of the reserving State to fulfil its obligations under the Convention. Furthermore, the Government of Ireland are of the view that such reservations may undermine the basis of international treaty law.

The Government of Ireland therefore object to the reservations made by the Government of the Republic of Botswana to Article 7 and Article 12, paragraph 3 of the Covenant.

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

Bezwaar door Italië, 20 december 2001

The Government of the Italian Republic has examined the reservations made by the Republic of Botswana upon signature of the International Covenant on Civil and Political Rights, and confirmed upon ratification, regarding articles 7 and 12, paragraph 3 of the Covenant.

The Government of the Italian Republic notes that the aforesaid articles of the Covenant are being made subject to a general reservation referring to the contents of existing legislation in Botswana. The Government of the Italian Republic is of the view that, in the absence of further clarification, these reservations

referring to international legislation raise doubts as to the commitment of Botswana to fulfill its obligation under the Covenant. The Government of the Italian Republic considers these reservations to be incompatible with the object and the purpose of the Covenant according to article 19 of the 1969 Vienna Convention on the law of treaties. These reservations do not fall within the rule of article 20, paragraph 5, and can be objected at any time. Therefore, the Italian Government objects to the aforesaid reservations made by the Republic of Botswana to the Covenant. This objection does not preclude the entry into force of the Covenant between Italy and Botswana.

Bezwaar door **Nederlanden, het Koninkrijk der**, 9 oktober 2001

The Government of the Kingdom of the Netherlands has examined the reservations made by the Government of Botswana upon signature of the International Covenant on Civil and Political Rights, and confirmed upon ratification, regarding articles 7 and 12, paragraph 3, of the Covenant. The Government of the Kingdom of the Netherlands notes that the said articles of the Covenant are being made subject to a general reservation referring to the contents of existing legislation in Botswana.

The Government of the Kingdom of the Netherlands is of the view that, in the absence of further clarification, these reservations raise doubts as to the commitment of Botswana as to the object and purpose of the Covenant and would like to recall that, according to customary international law as codified in the Vienna Convention on the Law of Treaties, a reservation incompatible with the object and purpose of 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 the Kingdom of the Netherlands therefore objects to the aforesaid reservations made by the Government of Botswana to the International Covenant on Civil and Political Rights. This objection shall not preclude the entry into force of the Covenant between the Kingdom of the Netherlands and Botswana.

Bezwaar door Noorwegen, 11 oktober 2001

The Government of Norway has examined the contents of the reservation made by the Government of the Republic of Botswana upon ratification of the International Covenant on Civil and Political Rights.

The reservation's reference to the national Constitution without further description of its contents, exempts the other States Parties to the Covenant from the possibility of assessing the effects of the reservation. In addition, as the reservation concerns two of the core provisions of the Covenant, it is the position of the Government of Norway that the reservation is contrary to the object and purpose of the Covenant. Norway therefore objects to the reservation made by the Government of Botswana.

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

Bezwaar door Oostenrijk, 17 oktober 2001

Austria has examined the reservation made by the Government of the Republic of Botswana upon signature of the 1966 International Covenant on Civil and Political Rights, and confirmed upon ratification, regarding Articles 7 and 12 para. 3 of the Covenant.

The fact that Botswana is making the said articles subject to a general reservation referring to the contents of existing national legislation, in the absence of further clarification raises doubts as to the commitment of Botswana to the object and purpose of the Covenant. 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. In Austria's view the reservation in question is therefore inadmissible to the extent that its application could negatively affect the compliance by Botswana with its obligations under Articles 7 and 12 para. 3 of the Covenant.

For these reasons, Austria objects to the reservation made by the Government of the Republic of Botswana to the International Covenant on Civil and Political Rights.

This objection shall not preclude the entry into force of the Covenant in its entirety between Botswana and Austria, without Botswana benefiting from its reservation.

Bezwaar door Portugal, 26 juli 2001

The Government of the Portuguese Republic has examined the reservation made by the Government of the Republic of Botswana to article 7 of the International Covenant on Civil and Political Rights (New York, 16 December 1966).

The Government of the Portuguese Republic is of the view that, according to article 4 (2) of the Covenant, the said reservation is incompatible with its object and purpose.

Furthermore, this reservation goes against the general principle of treaty interpretation according to which a State party to a treaty may not invoke the provisions of its internal law as justification for failure to perform according to the obligations set out by the said treaty. It is 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 the Portuguese Republic considers that the Government of the Republic of Botswana, by limiting its responsibilities under the Covenant by invoking general principles of its Constitutional Law, may create doubts on its commitment to the Covenant and, moreover, contribute to undermine the basis of International Law.

The Government of the Portuguese Republic therefore objects to the reservation made by the Government of the Republic of Botswana to article 7 of the Covenant. This objection shall not constitute an obstacle to the entry into force of the Covenant between the Portuguese Republic and the Republic of Botswana.

Bezwaar door Spanje, 9 oktober 2001

The Government of the Kingdom of Spain has examined the reservation made on 16 December 2000 by the Government of the Republic of Botswana to article 7 of the International Covenant on Civil and Political Rights, which makes its adherence to that article conditional by referring to the current content of Botswana's domestic legislation.

The Government of the Kingdom of Spain considers that this reservation, by referring to domestic law, affects one of the fundamental rights enshrined in the Covenant (prohibition of torture, right to physical integrity), from which no derogation is permitted under article 4, paragraph 2, of the Covenant. The Government of Spain also considers that the presentation of a reservation referring to domestic legislation, in the absence of further clarifications, raises doubts as to the degree of commitment assumed by the Republic of Botswana in becoming a party to the Covenant.

Accordingly, the Government of the Kingdom of Spain objects to the above-mentioned reservation made by the Government of the Republic of Botswana to article 7 of the Covenant on Civil and Political Rights of 1966.

This objection does not prevent the entry into force of the Covenant between the Kingdom of Spain and the Republic of Botswana.

Bezwaar door Zweden, 25 juli 2001

The Government of Sweden has examined the reservation made by Botswana upon signature of the 1966 International Covenant on Civil and Political Rights, and confirmed upon ratification, regarding articles 7 and 12 (3) of the Covenant.

The Government of Sweden notes that the said articles of the Covenant are being made subject to a general reservation referring to the contents of existing legislation in Botswana.

The Government of Sweden is of the view that, in the absence of further clarification, this reservation raises doubts as to the commitment of Botswana to the object and purpose of the Covenant and would like to recall that, according to customary international law as codified in the Vienna Convention on the Law of Treaties, a reservation incompatible with the object and purpose of 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 Botswana to the International Covenant on Civil and Political Rights. This objection shall not preclude the entry into force of the Covenant between Botswana and Sweden. The Covenant enters into force in its entirety between the two States, without Botswana benefiting from its reservation.

Bulgarije, 21 september 1970

The People's Republic of Bulgaria deems it necessary to underline that the provisions of article 48, paragraphs 1 and 3, of the International Covenant on Civil and Political Rights, and article 26, paragraphs 1 and 3, of the International Covenant on Economic, Social and Cultural Rights, under which a number of States are deprived of the opportunity to become parties to the Covenants, are of a discriminatory nature. These provisions are inconsistent with the very nature of the Covenants, which are universal in character and should be open for accession by all States. In accordance with the principle of sovereign equality, no State has the right to bar other States from becoming parties to a covenant of this kind.

Bulgarije, 12 mei 1993

The Republic of Bulgaria declares that it recognizes the competence of the Human Rights Committee to receive and consider communications to the effect that a State Party which has made a declaration recognizing in regard to itself the competence of the Committee claims that another State Party is not fulfilling its obligations under the Covenant.

Canada, 29 oktober 1979

The Government of Canada declares, under article 41 of the International Covenant on Civil and Political Rights, that it recognizes the competence of the Human Rights Committee referred to in article 28 of the said Covenant to receive and consider communications submitted by another State Party, provided that such State Party has, not less than twelve months prior to the submission by it of a communication relating to Canada, made a declaration under article 41 recognizing the competence of the Committee to receive and consider communications relating to itself.

Chili, 7 september 1990

As from the date of this instrument, the Government of Chile recognizes the competence of the Human Rights Committee established under the International Covenant on Civil and Political Rights, in accordance with article 41 thereof, with regard to all actions which may have been initiated since 11 March 1990.

China, 5 oktober 1998

The signature that the Taiwan authorities affixed, by usurping the name of "China", to the [Convention] on 5 October 1967, is illegal and null and void.

China, 3 december 1999

1. The application of the Covenant, and its article 1 in particular, to the Macao Special Administrative Region shall not affect the status of Macao as defined in the Joint Declaration and in the Basic Law.

2. The provisions of the Covenant which are applicable to the Macao Special Administrative Region shall be implemented in Macao through legislation of the Macao Special Administrative Region.

The residents of Macao shall not be restricted in the rights and freedoms that they are entitled to, unless otherwise provided for by law. In case of restrictions, they shall not contravene the provisions of the Covenant that are applicable to the Macao Special Administrative Region.

Within the above ambit, the Government of the People's Republic of China will assume the responsibility for the international rights and obligations that place on a Party to the Covenant.

Congo, Republiek, 5 oktober 1983

The Government of the People's Republic of Congo declares that it does not consider itself bound by the provisions of article 11 [...].

Article 11 of the International Covenant on Civil and Political Rights is quite incompatible with articles 386 et seq. of the Congolese Code of Civil, Commercial, Administrative and Financial Procedure, derived from Act 51/83 of 21 April 1983. Under those provisions, in matters of private law, decisions or orders emanating from conciliation proceedings may be enforced through imprisonment for debt when other means of enforcement have failed, when the amount due exceeds 20,000 CFA francs and when the debtor, between 18 and 60 years of age, makes himself insolvent in bad faith.

Bezwaar door België, 6 november 1984

[The Belgian Government] wishes to observe that the sphere of application of article 11 is particularly restricted. In fact, article 11 prohibits imprisonment only when there is no reason for resorting to it other than the fact that the debtor is unable to fulfil a contractual obligation. Imprisonment is not incompatible with article 11 when there are other reasons for imposing this penalty, for example when the debtor, by acting in bad faith or through fraudulent manoeuvres, has placed himself in the position of being unable to fulfil his obligations. This interpretation of article 11 can be confirmed by reference to the *travaux préparatoires* (see document A/2929 of 1 July 1955).

After studying the explanations provided by the Congo concerning its reservation, [the Belgian Government] has provisionally concluded that this reservation is unnecessary. It is its understanding that the Congolese legislation authorizes imprisonment for debt when other means of enforcement have failed when the amount due exceeds 20,000 CFA francs and when the debtor, between 18 and 60 years of age, makes himself insolvent in bad faith. The latter condition is sufficient to show that there is no contradiction between the Congolese legislation and the letter and the spirit of article 11 of the Covenant.

By virtue of article 4, paragraph 2, of the aforementioned Covenant, article 11 is excluded from the sphere of application of the rule which states that in the event of an exceptional public emergency, the States Parties to the Covenant may, in certain conditions, take measures derogating from their obligations under the Covenant. Article 11 is one of the articles containing a provision from which no derogation is permitted in any circumstances. Any reservation concerning that article would destroy its effects and would therefore be in contradiction with the letter and the spirit of the Covenant.

Consequently, and without prejudice to its firm belief that Congolese law is in complete conformity with the provisions of arti-

cle 11 of the Covenant, [the Belgian Government] fears that the reservation made by the Congo may, by reason of its very principle, constitute a precedent which might have considerable effects at the international level.

[The Belgian Government] therefore hopes that this reservation will be withdrawn and, as a precautionary measure, wishes to raise an objection to that reservation.

Bezwaar door **Nederlanden, het Koninkrijk der**, 6 november 1984

[The Government of the Kingdom of the Netherlands] wishes to observe that the sphere of application of article 11 is particularly restricted. In fact, article 11 prohibits imprisonment only when there is no reason for resorting to it other than the fact that the debtor is unable to fulfil a contractual obligation. Imprisonment is not incompatible with article 11 when there are other reasons for imposing this penalty, for example when the debtor, by acting in bad faith or through fraudulent manoeuvres, has placed himself in the position of being unable to fulfil his obligations. This interpretation of article 11 can be confirmed by reference to *the travaux préparatoires* (see document A/2929 of 1 July 1955). After studying the explanations provided by the Congo concerning its reservation, [the Government of the Kingdom of the Netherlands] has provisionally concluded that this reservation is unnecessary. It is its understanding that the Congolese legislation authorizes imprisonment for debt when other means of enforcement have failed when the amount due exceeds 20,000 CFA francs and when the debtor, between 18 and 60 years of age, makes himself insolvent in bad faith. The latter condition is sufficient to show that there is no contradiction between the Congolese legislation and the letter and the spirit of article 11 of the Covenant.

By virtue of article 4, paragraph 2, of the aforementioned Covenant, article 11 is excluded from the sphere of application of the rule which states that in the event of an exceptional public emergency, the States Parties to the Covenant may, in certain conditions, take measures derogating from their obligations under the Covenant. Article 11 is one of the articles containing a provision from which no derogation is permitted in any circumstances. Any reservation concerning that article would destroy its effects and would therefore be in contradiction with the letter and the spirit of the Covenant.

Consequently, and without prejudice to its firm belief that Congolese law is in complete conformity with the provisions of article 11 of the Covenant, [the Government of the Kingdom of the Netherlands] fears that the reservation made by the Congo may,

by reason of its very principle, constitute a precedent which might have considerable effects at the international level. [The Government of the Kingdom of the Netherlands] therefore hopes that this reservation will be withdrawn and, as a precautionary measure, wishes to raise an objection to that reservation.

Congo, Republik, 6 juli 1989

Pursuant to article 41 of the International Covenant on Civil and Political Rights, the Congolese Government recognizes, with effect from today's date, the competence of the Human Rights Committee to receive and consider communications to the effect that a State Party claims that another State party is not fulfilling its obligations under the above-mentioned Covenant.

Cuba, 28 februari 2008

The Republic of Cuba hereby declares that it was the Revolution that enabled its people to enjoy the rights set out in the International Covenant on Civil and Political Rights.

The economic, commercial and financial embargo imposed by the United States of America and its policy of hostility and aggression against Cuba constitute the most serious obstacle to the Cuban people's enjoyment of the rights set out in the Covenant.

The rights protected under this Covenant are enshrined in the Constitution of the Republic and in national legislation.

The State's policies and programmes guarantee the effective exercise and protection of these rights for all Cubans.

With respect to the scope and implementation of some of the provisions of this international instrument, Cuba will make such reservations or interpretative declarations as it may deem appropriate.

Denemarken, 6 januari 1972

1. The Government of Denmark makes a reservation in respect of Article 10, paragraph 3, second sentence. In Danish practice, considerable efforts are made to ensure appropriate age distribution of convicts serving sentences of imprisonment, but it is considered valuable to maintain possibilities of flexible arrangements.

2. (a) Article 14, paragraph 1, shall not be binding on Denmark in respect of public hearings. In Danish law, the right to exclude the press and the public from trials may go beyond what is permissible under this Covenant, and the Government of Denmark finds that this right should not be restricted.

(b) Article 14, paragraphs 5 and 7, shall not be binding on Denmark. The Danish Administration of Justice Act contains detailed provisions regulating the matters dealt with in these two paragraphs. In some cases, Danish legislation is less restrictive than the Covenant (e.g. a verdict returned by a jury on the question of guilt cannot be reviewed by a higher tribunal, cf. paragraph 5); in other cases, Danish legisla-

tion is more restrictive than the Covenant (e.g. with respect to resumption of a criminal case in which the accused party was acquitted, cf. paragraph 7).

3. Reservation is further made to Article 20, paragraph 1. This reservation is in accordance with the vote cast by Denmark in the XVI General Assembly of the United Nations in 1961 when the Danish Delegation, referring to the preceding article concerning freedom of expression, voted against the prohibition against propaganda for war.

Denemarken, 19 april 1983

[The Government of Denmark] recognizes, in accordance with article 41 of the International Covenant on Civil and Political Rights, opened for signature in New York on December 19, 1966, the competence of the Committee referred to in article 41 to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Covenant.

Duitsland, 17 december 1973

1. Articles 19, 21 and 22 in conjunction with Article 2 (1) of the Covenant shall be applied within the scope of Article 16 of the Convention of 4 November 1950 for the Protection of Human Rights and Fundamental Freedoms.

2. Article 14 (3) (d) of the Covenant shall be applied in such manner that it is for the court to decide whether an accused person held in custody has to appear in person at the hearing before the court of review (*Revisionsgericht*).

3. Article 14 (5) of the Covenant shall be applied in such manner that:

(a) A further appeal does not have to be instituted in all cases solely on the grounds the accused person having been acquitted by the lower court-was convicted for the first time in the proceedings concerned by the appellate court.

(b) In the case of criminal offences of minor gravity the review by a higher tribunal of a decision not imposing imprisonment does not have to be admitted in all cases.

4. Article 15 (1) of the Covenant shall be applied in such manner that when provision is made by law for the imposition of a lighter penalty the hitherto applicable law may for certain exceptional categories of cases remain applicable to criminal offences committed before the law was amended.

Duitsland, 22 maart 1988

The Government of Germany indicates that it wishes to call attention to the reservations made by the Federal Republic of Germany upon ratification of the Covenant with regard to articles 19, 21 and 22 in conjunction with articles 2 (1), 14 (3), 14 (5) and 15 (1).

Duitsland, 27 december 2001

The Federal Republic of Germany now recognizes for an unlimited period the competence of the Human Rights Committee under Article 41(1) of the Covenant to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Covenant.

Ecuador, 6 augustus 1984

The Government of Ecuador recognizes the competence of the Human Rights Committee to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the aforementioned Covenant, as provided for in paragraph 1 (a), (b), (c), (d), (e), (f), (g) and (h) of that article.

This recognition of competence is effective for an indefinite period and is subject to the provisions of article 41, paragraph 2, of the International Covenant on Civil and Political Rights.

Egypte, 14 januari 1982

[...] Taking into consideration the provisions of the Islamic Sharia and the fact that they do not conflict with the text annexed to the instrument, we accept, support and ratify it [...].

Filipijnen, de, 23 oktober 1986

The Philippine Government, in accordance with article 41 of the said Covenant, recognizes the competence of the Human Rights Committee set up in the aforesaid Covenant, to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Covenant.

Finland, 19 augustus 1975

With respect to article 10, paragraph 2 (b) and 3, of the Covenant, Finland declares that although juvenile offenders are, as a rule, segregated from adults, it does not deem appropriate to adopt an absolute prohibition not allowing for more flexible arrangements;

With respect to article 14, paragraph 7, of the Covenant, Finland declares that it is going to pursue its present practice, according to which a sentence can be changed to the detriment of the convicted person, if it is established that a member or an official of the court, the prosecutor or the legal counsel have through criminal or fraudulent activities obtained the acquittal of the defendant or a substantially more lenient penalty, or if false evidence has been presented with the same effect, and according to which an aggravated criminal case may be taken up for reconsideration if within a year until then unknown evidence is presented, which would have led to conviction or a substantially more severe penalty;

With respect to article 20, paragraph 1, of the Covenant, Finland declares that it will not apply the provisions of this paragraph, this being compatible with the standpoint Finland already expressed at the 16th

United Nations General Assembly by voting against the prohibition of propaganda for war, on the grounds that this might endanger the freedom of expression referred in article 19 of the Covenant.

Finland declares, under article 41 of the International Covenant on Civil and Political Rights, that it recognizes the competence of the Human Rights Committee referred to in article 28 of the said Covenant, to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under this Covenant.

Finland, 29 maart 1985

The Government of Finland notifies the Secretary-General of its decision to withdraw the reservations made upon ratification with respect to articles 13 and 14 (1) (the notification indicates that the withdrawal was effected because the relevant provisions of the Finnish legislation have been amended as to correspond fully to articles 13 and 14 (1) of the Covenant).

Finland, 26 juli 1990

The Government of Finland notifies the Secretary-General of its decision to withdraw the reservations made upon ratification with respect to articles 9 (3) and 14 (3) (d), respectively.

Frankrijk, 4 november 1980

(1) The Government of the Republic considers that, in accordance with Article 103 of the Charter of the United Nations, in case of conflict between its obligations under the Covenant and its obligations under the Charter (especially Articles 1 and 2 thereof), its obligations under the Charter will prevail.

(2) The Government of the Republic enters the following reservation concerning article 4, paragraph 1: firstly, the circumstances enumerated in article 16 of the Constitution in respect of its implementation, in article 1 of the Act of 3 April 1978 and in the Act of 9 August 1849 in respect of the declaration of a state of siege, in article 1 of Act No. 55-385 of 3 April 1955 in respect of the declaration of a state of emergency and which enable these instruments to be implemented, are to be understood as meeting the purpose of article 4 of the Covenant; and, secondly, for the purpose of interpreting and implementing article 16 of the Constitution of the French Republic, the terms "to the extent strictly required by the exigencies of the situation" cannot limit the power of the President of the Republic to take "the measures required by circumstances".

(3) The Government of the Republic enters a reservation concerning articles 9 and 14 to the effect that these articles cannot impede enforcement of the rules pertaining to the disciplinary régime in the armies.

(4) The Government of the Republic declares that article 13 cannot derogate from chapter IV of Order No. 45-2658 of 2 November 1945

concerning the entry into, and sojourn in, France of aliens, nor from the other instruments concerning the expulsion of aliens in force in those parts of the territory of the Republic in which the Order of 2 November 1945 does not apply.

(5) The Government of the Republic interprets article 14, paragraph 5, as stating a general principle to which the law may make limited exceptions, for example, in the case of certain offences subject to the initial and final adjudication of a police court and of criminal offences. However, an appeal against a final decision may be made to the Court of Cassation which rules on the legality of the decision concerned.

(6) The Government of the Republic declares that articles 19, 21 and 22 of the Covenant will be implemented in accordance with articles 10, 11 and 16 of the European Convention for the Protection of Human Rights and Fundamental Freedoms of 4 November 1950.

(7) The Government of the Republic declares that the term "war", appearing in article 20, paragraph 1, is to be understood to mean war in contravention of international law and considers, in any case, that French legislation in this matter is adequate.

(8) In the light of article 2 of the Constitution of the French Republic, the French Government declares that article 27 is not applicable so far as the Republic is concerned.

Bezwaar door Duitsland, 23 april 1982

The Federal Government refers to the declaration on article 27 made by the French Government and stresses in this context the great importance attaching to the rights guaranteed by article 27. It interprets the French declaration as meaning that the Constitution of the French Republic already fully guarantees the individual rights protected by article 27.

Frankrijk, 22 maart 1988

The Government of France notifies the Secretary-General of its decision to withdraw, with effect from 22 March 1988, its reservation with regard to article 19 made upon accession to the said Covenant.

Gambia, 22 maart 1979

For financial reasons free legal assistance for accused persons is limited in our constitution to persons charged with capital offences only. The Government of the Gambia therefore wishes to enter a reservation in respect of article 14 (3) (d) of the Covenant in question.

Gambia, 9 juni 1988

The Government of the Gambia hereby declares that the Gambia recognises the competence of the Human Rights Committee to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the present Covenant.

Ghana, 7 september 2000

The Government of the Republic of Ghana recognizes the competence of the Human Rights Committee to consider complaints brought by or against the Republic in respect of another State Party which has made a Declaration recognising the competence of the Committee at least twelve months before Ghana becomes officially registered as Party to the Covenant.

[The Government of the Republic of Ghana] interprets Article 41 as giving the Human Rights Committee the competence to receive and consider complaints in respect of violations by the Republic of any rights set forth in the said Covenant which result from decisions, acts, commissions, developments or events occurring AFTER the date on which Ghana becomes officially regarded as party to the said Covenant and shall not apply to decisions, acts, omissions, developments or events occurring before that date.

Guinee, 24 januari 1978

In accordance with the principle whereby all States whose policies are guided by the purposes and principles of the Charter of the United Nations are entitled to become parties to covenants affecting the interests of the international community, the Government of the Republic of Guinea considers that the provisions of article 48, paragraph 1, of the International Covenant on Civil and Political Rights are contrary to the principle of the universality of international treaties and the democratization of international relations.

Guyana, 15 februari 1977

In respect of sub-paragraph (d) of paragraph 3 of article 14

While the Government of the Republic of Guyana accept the principle of Legal Aid in all appropriate criminal proceedings, is working towards that end and at present apply it in certain defined cases, the problems of implementation of a comprehensive Legal Aid Scheme are such that full application cannot be guaranteed at this time.

In respect of paragraph 6 of article 14

While the Government of the Republic of Guyana accept the principle of compensation for wrongful imprisonment, it is not possible at this time to implement such a principle.

Guyana, 10 mei 1993

The Government of the Co-operative Republic of Guyana hereby declares that it recognises the competence of the Human Rights Committee to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the aforementioned Covenant.

Hongarije, 25 maart 1969

The Government of the Hungarian People's Republic declares that paragraph 1 of article 26 of the International Covenant on Economic, Social and Cultural Rights and paragraph 1 of article 48 of the International Covenant on Civil and Political Rights according to which certain States may not become signatories to the said Covenants are of a discriminatory nature and are contrary to the basic principle of international law that all States are entitled to become signatories to general multilateral treaties. These discriminatory provisions are incompatible with the objectives and purposes of the Covenants.

Hongarije, 7 september 1988

The Hungarian People's Republic [...] recognizes the competence of the Human Rights Committee established under article 28 of the Covenant to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Covenant.

Ierland, 8 december 1989

Article 10, paragraph 2

Ireland accepts the principles referred to in paragraph 2 of article 10 and implements them as far as practically possible. It reserves the right to regard full implementation of these principles as objectives to be achieved progressively.

Article 14

Ireland reserves the right to have minor offences against military law dealt with summarily in accordance with current procedures, which may not, in all respects, conform to the requirements of article 14 of the Covenant.

Article 14, paragraph 6

Ireland makes the reservation that the provision of compensation for the miscarriage of justice in the circumstances contemplated in paragraph 6 of Article 14 may be by administrative procedures rather than pursuant to specific legal provisions.

Article 19, paragraph 2

Ireland reserves the right to confer a monopoly on or require the licensing of broadcasting enterprises.

Article 20, paragraph 1

Ireland accepts the principle in paragraph 1 of article 20 and implements it as far as it is practicable. Having regard to the difficulties in formulating a specific offence capable of adjudication at a national level in such a form as to reflect the general principles of law recognised by the community of nations as well as the right to freedom of expression, Ireland reserves the right to postpone consideration of the possibility of introducing some legislative addition to, or variation of, existing law until such time as it may consider that such is necessary for the attainment of the objective of paragraph 1 of article 20.

Article 23, paragraph 4

Ireland accepts the obligations of paragraph 4 of Article 23 on the understanding that the provision does not imply any right to obtain a dissolution of marriage.

The Government of Ireland hereby declare that in accordance with article 41 they recognise the competence of the Human Rights Committee established under article 28 of the Covenant.

Ireland, 24 augustus 1998

The Government of Ireland notified the Secretary-General of its decision to withdraw the reservations made to articles 14 (6) and 23 (4) made upon ratification.

Ireland, 26 januari 2009

The Government of Ireland notified the Secretary-General that it had decided to withdraw the reservation with respect to article 14 made upon ratification.

Ireland, 15 december 2011

Withdrawal of reservation to Article 19, paragraph 2.

Iceland, 22 augustus 1979

The ratification is accompanied by reservations with respect to the following provisions:

1. [...]
2. Article 10, paragraph 2 (b), and paragraph 3, second sentence, with respect to the separation of juvenile prisoners from adults. Icelandic law in principle provides for such separation but it is not considered appropriate to accept an obligation in the absolute form called for in the provisions of the Covenant.
3. Article 13, to the extent that it is inconsistent with the Icelandic legal provisions in force relating to the right of aliens to object to a decision on their expulsion.
4. Article 14, paragraph 7, with respect to the resumption of cases which have already been tried. The Icelandic law of procedure has detailed provisions on this matter which it is not considered appropriate to revise.
5. Article 20, paragraph 1, with reference to the fact that a prohibition against propaganda for war could limit the freedom of expression. This reservation is consistent with the position of Iceland at the General Assembly at its 16th session.

Other provisions of the Covenant shall be inviolably observed.

The Government of Iceland [...] recognizes in accordance with article 41 of the International Covenant on Civil and Political Rights the competence of the Human Rights Committee referred to in article 28 of the Covenant to receive and consider communications to the effect that a

State Party claims that another State Party is not fulfilling its obligations under the Covenant.

IJsland, 18 oktober 1993

The Government of Iceland notifies the Secretary-General of its decision to withdraw as of 18 October 1993, the reservation to paragraph 3(a) of article 8, made upon ratification.

IJsland, 19 oktober 2009

Withdrawal of reservation concerning article 13, paragraph 3.

India, 10 april 1979

- I. With reference to article 1 of the International Covenant on Economic, Social and Cultural Rights and article 1 of the International Covenant on Civil and Political Rights, the Government of the Republic of India declares that the words “the right of self-determination” appearing in [this article] apply only to the peoples under foreign domination and that these words do not apply to sovereign independent States or to a section of a people or nation--which is the essence of national integrity.
- II. With reference to article 9 of the International Covenant on Civil and Political Rights, the Government of the Republic of India takes the position that the provisions of the article shall be so applied as to be in consonance with the provisions of clauses (3) to (7) of article 22 of the Constitution of India. Further under the Indian Legal System, there is no enforceable right to compensation for persons claiming to be victims of unlawful arrest or detention against the State.
- III. With respect to article 13 of the International Covenant on Civil and Political Rights, the Government of the Republic of India reserves its right to apply its law relating to foreigners.
- IV. With reference to articles 4 and 8 of the International Covenant on Economic, Social and Cultural Rights, and articles 12, 19 (3), 21 and 22 of the International Covenant on Civil and Political Rights the Government of the Republic of India declares that the provisions of the said [article] shall be so applied as to be in conformity with the provisions of article 19 of the Constitution of India.

[...]

Bezwaar door Duitsland, 15 augustus 1980

The Government of the Federal Republic of Germany strongly objects, [...] to the declaration made by the Republic of India in respect of article 1 of the International Covenant on Economic, Social and Cultural Rights and of article 1 of the International Covenant on Civil and Political Rights.

The right of self-determination as enshrined in the Charter of the United Nations and as embodied in the Covenants applies to all

peoples and not only to those under foreign domination. All peoples, therefore, have the inalienable right freely to determine their political status and freely to pursue their economic, social and cultural development. The Federal Government cannot consider as valid any interpretation of the right of self-determination which is contrary to the clear language of the provisions in question. It moreover considers that any limitation of their applicability to all nations is incompatible with the object and purpose of the Covenants.

Bezwaar door Frankrijk, 4 november 1980

The Government of the Republic takes objection to the reservation entered by the Government of the Republic of India to article 1 of the International Covenant on Civil and Political Rights, as this reservation attaches conditions not provided for by the Charter of the United Nations to the exercise of the right of self-determination. The present declaration will not be deemed to be an obstacle to the entry into force of the Covenant between the French Republic and the Republic of India.

Bezwaar door **Nederlanden, het Koninkrijk der**, 12 januari 1981

The Government of the Kingdom of the Netherlands objects to the declaration made by the Government of the Republic of India in relation to article 1 of the International Covenant on Civil and Political Rights and article 1 of the International Covenant on Economic, Social and Cultural Rights, since the right of self-determination as embodied in the Covenants is conferred upon all peoples. This follows not only from the very language of article 1 common to the two Covenants but as well from the most authoritative statement of the law concerned, i.e., the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations. Any attempt to limit the scope of this right or to attach conditions not provided for in the relevant instruments would undermine the concept of self-determination itself and would thereby seriously weaken its universally acceptable character.”

Bezwaar door Pakistan, 17 april 2008

The Government of Islamic Republic of Pakistan objects to the declaration made by the Republic of India in respect of article 1 of the International Covenant on Civil and Political Rights. The right of Self-determination as enshrined in the Charter of the United Nations and as embodied in the Covenants applies to all peoples under foreign occupation and alien domination.

The Government of the Islamic Republic of Pakistan cannot consider as valid any interpretation of the right of self-determination which is contrary to the clear language of the provisions in question. Moreover, the said reservation is incompatible with the object and purpose of the Covenants. This objection shall not preclude the entry into force of the Covenant between the Islamic Republic of Pakistan and India without India benefiting from its reservations.

Indonesië, 23 februari 2006

With reference to Article 1 of the International Covenant on Civil and Political Rights, the Government of the Republic of Indonesia declares that, consistent with the Declaration on the Granting of Independence to Colonial Countries and Peoples, and the Declaration on Principles of International Law concerning Friendly Relations and Cooperation Among States, and the relevant paragraph of the Vienna Declaration and Program of Action of 1993, the words “the right of self-determination” appearing in this article do not apply to a section of people within a sovereign independent state and can not be construed as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent states.

Irak, 18 februari 1969

The entry of the Republic of Iraq as a party to the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights shall in no way signify recognition of Israel nor shall it entail any obligation towards Israel under the said two Covenants.

The entry of the Republic of Iraq as a party to the above two Covenants shall not constitute entry by it as a party to the Optional Protocol to the International Covenant on Civil and Political Rights.

Bezwaar door Israël, 10 juli 1969

[The Government of Israel] has noted the political character of the declaration made by the Government of Iraq on signing [...] the above Covenants. In the view of the Government of Israel, these two Covenants are not the proper place for making such political pronouncements. The Government of Israel will, in so far as concerns the substance of the matter, adopt towards the Government of Iraq an attitude of complete reciprocity.

Irak, 25 januari 1971

Ratification by Iraq [...] shall in no way signify recognition of Israel nor shall it be conducive to entry with her into such dealings as are regulated by the said [Covenant].

Bezwaar door Israël, 23 maart 1971

[The Government of Israel] has noted the political character of the declaration made by the Government of Iraq on [...] ratifying the above Covenants. In the view of the Government of Israel, these two Covenants are not the proper place for making such political pronouncements. The Government of Israel will, in so far as concerns the substance of the matter, adopt towards the Government of Iraq an attitude of complete reciprocity.

Israël, 3 oktober 1991

With reference to Article 23 of the Covenant, and any other provision thereof to which the present reservation may be relevant, matters of personal status are governed in Israel by the religious law of the parties concerned.

To the extent that such law is inconsistent with its obligations under the Covenant, Israel reserves the right to apply that law.

Italië, 15 september 1978

Article 15, paragraph 1

With reference to article 15, paragraph 1, last sentence: “If, subsequent to the commission of the offence, provision is made by law for the imposition of a lighter penalty, the offender shall benefit thereby”, the Italian Republic deems this provision to apply exclusively to cases in progress. Consequently, a person who has already been convicted by a final decision shall not benefit from any provision made by law, subsequent to that decision, for the imposition of a lighter penalty.

Article 19, paragraph 3

The provisions of article 19, paragraph 3, are interpreted as being compatible with the existing licensing system for national radio and television and with the restrictions laid down by law for local radio and television companies and for stations relaying foreign programmes.

The Italian Republic recognizes the competence of the Human Rights Committee, elected in accordance with article 28 of the Covenant, to receive and consider communications to the effect that a State party claims that another State party is not fulfilling its obligations under the Covenant.

Italië, 20 december 2005

With reference to the ratification of the above Covenant by Italy, the Government of Italy informed the Secretary-General, by a notification received on 20 December 2005, of its decision to withdraw the following reservations in respect of articles 9 (5), 12 (4) and 14 (5), made upon ratification of the Covenant.

Article 9, paragraph 5

The Italian Republic, considering that the expression “unlawful arrest or detention” contained in article 9, paragraph 5, could give rise to differences of interpretation, declares that it interprets the aforementioned

expression as referring exclusively to cases of arrest or detention contrary to the provisions of article 9, paragraph 1.

Article 12, paragraph 4

Article 12, paragraph 4, shall be without prejudice to the application of transitional provision XIII of the Italian Constitution, respecting prohibition of the entry into and sojourn in the national territory of certain members of the House of Savoy.

Article 14, paragraph 5

Article 14, paragraph 5, shall be without prejudice to the application of existing Italian provisions which, in accordance with the Constitution of the Italian Republic, govern the conduct, at one level only, of proceedings instituted before the Constitutional Court in respect of charges brought against the President of the Republic and its Ministers.

Japan, 30 mei 1978

[...]

4. Recalling the position taken by the Government of Japan, when ratifying the Convention (No. 87) concerning Freedom of Association and Protection of the Right to Organise, that “the police” referred to in article 9 of the said Convention be interpreted to include the fire service of Japan, the Government of Japan declares that “members of the police” referred to in paragraph 2 of article 8 of the International Covenant on Economic, Social and Cultural Rights as well as in paragraph 2 of article 22 of the International Covenant on Civil and Political Rights be interpreted to include fire service personnel of Japan.

Jemen, 9 februari 1987

The accession of the People’s Democratic Republic of Yemen to this Covenant shall in no way signify recognition of Israel or serve as grounds for the establishment of relations of any sort with Israel.

Koeweit, 21 mei 1996

Interpretative declaration regarding article 2, paragraph 1, and article 3: Although the Government of Kuwait endorses the worthy principles embodied in these two articles as consistent with the provisions of the Kuwait Constitution in general and of its article 29 in particular, the rights to which the articles refer must be exercised within the limits set by Kuwaiti law.

Interpretative declaration regarding article 23:

The Government of Kuwait declares that the matters addressed by article 23 are governed by personal-status law, which is based on Islamic law. Where the provisions of that article conflict with Kuwaiti law, Kuwait will apply its national law.

Reservations concerning article 25 (b):

The Government of Kuwait wishes to formulate a reservation with regard to article 25(b). The provisions of this paragraph conflict with the

Kuwaiti electoral law, which restricts the right to stand and vote in elections to males.

It further declares that the provisions of the article shall not apply to members of the armed forces or the police.

Bezwaar door Duitsland, 10 juli 1997

The Government of the Federal Republic of Germany notes that article 2 (2) and article 3 have been made subject to the general reservation of national law. It is of the view that these general reservations may raise doubts as to the commitment of Kuwait to the object and purpose of the Covenant.

The Government of the Federal Republic of Germany regards the reservation concerning article 8 (1) (d), in which the Government of Kuwait reserves the right not to apply the right to strike expressly stated in the Covenant, as well as the interpretative declaration regarding article 9, according to which the right to social security would only apply to Kuwaitis, as being problematic in view of the object and purpose of the Covenant. It particularly feels that the declaration regarding article 9, as a result of which the many foreigners working on Kuwaiti territory would, on principle, be totally excluded from social security protection, cannot be based on article 2 (3) of the Covenant.

It is in the common interest of all parties that a treaty should be respected, as to its object and purpose, by all parties.

The Government of the Federal Republic of Germany therefore objects to the [said] general reservations and interpretative declarations.

This objection does not preclude the entry into force of the Covenant between Kuwait and the Federal Republic of Germany.

Bezwaar door Finland, 25 juli 1997

The Government of Finland notes that according to the interpretative declarations the application of certain articles of the Covenant is in a general way subjected to national law. The Government of Finland considers these interpretative declarations as reservations of a general kind.

The Government of Finland is of the view that such general reservations raise doubts as to the commitment of Kuwait to the object and purpose of the Covenant and would recall that a reservation incompatible with the object and purpose of the Covenant shall not be permitted. As regards the reservation made to article 25 (b), the Government of Finland wishes to refer to its objection to the reservation made by Kuwait to article 7 of the Convention on the Elimination of All Forms of Discrimination Against Women.

It is 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 Finland is further of the view that general reservations of the kind made by the Government of Kuwait, which do not clearly specify the extent of the derogation from the provisions of the covenant, contribute to undermining the basis of international treaty law.

The Government of Finland therefore objects to the aforesaid reservations made by the Government of Kuwait to the [said Covenant] which are considered to be inadmissible.

This objection does not preclude the entry into force in its entirety of the Covenant between Kuwait and Finland.

Bezwaar door Nederlanden, het Koninkrijk der, 22 juli 1997

In the opinion of the Government of the Kingdom of the Netherlands, the interpretative declaration concerning article 13, paragraphs 3 and 4 of the International Covenant on Economic, Social and Cultural Rights must be regarded as a reservation to the Covenant. From the text and history of the Covenant it follows that the reservation with respect to article 13, paragraphs 3 and 4 made by the Government of Kuwait is incompatible with the object and purpose of the Covenant. The Government of the Kingdom of the Netherlands therefore considers the reservation unacceptable and formally raises an objection to it.

[This objection is] not an obstacle to the entry into force of [the Covenant] between the Kingdom of the Netherlands and Kuwait.

Bezwaar door Noorwegen, 22 juli 1997

In the view of the Government of Norway, a statement by which a State Party purports to limit its responsibilities by invoking general principles of internal law may create doubts about the commitment of the reserving State to the objective and purpose of the Convention and, moreover, contribute to undermining the basis of international treaty law. Under well-established 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 finds the reservations made to article 8, paragraph 1 (d) and article 9 as being problematic in view of the object and purpose of the Covenant. For these reasons, the Government of Norway objects to the said reservations made by the Government of Kuwait.

The Government of Norway does not consider this objection to preclude the entry into force of the Covenant between the Kingdom of Norway and the State of Kuwait.

Bezwaar door Zweden, 23 juli 1997

The Government of Sweden notes that the interpretative declarations regarding article 2, paragraph 1, article 3 and 23 imply that central provisions of the Covenant are being made subject to a general reservation referring to the contents of national law. The Government of Sweden further notes that the reservation concerning article 25 (b) is contrary to the object and purpose of the Covenant.

The Government of Sweden is of the view that these interpretative declarations and this reservation raise doubts as to the commitment of Kuwait to the object and purpose of the Covenant.

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 interpretative declarations and reservation made by the Government of Kuwait upon accession to the [said Covenant].

This objection does not preclude the entry into force in its entirety of the Covenant between Kuwait and Sweden.

Kroatië, 12 oktober 1995

The Government of the Republic of Croatia declares under article 41 of the Covenant on Civil and Political Rights that the Republic of Croatia recognizes the competence of the Human Rights Committee to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Covenant on Civil and Political Rights.

Laos, 25 september 2009

The Government of the Lao People's Democratic Republic accepts Article 22 of the Covenant on the basis that Article 22 shall be interpreted in accordance with the right to self-determination in Article 1, and shall be so applied as to be in conformity with the Constitution and the relevant laws of the Lao People's Democratic Republic.

The Government of the Lao People's Democratic Republic declares that Article 1 of the Covenant concerning the right to self-determination shall be interpreted as being compatible with the Declaration on Principles of International Law concerning Friendly Relations and Cooperation Among States in accordance with the Charter of the United Nations, adopted by the General Assembly on 24th October 1970, and the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25th June 1993.

The Government of the Lao People's Democratic Republic declares that Article 18 of the Covenant shall not be construed as authorizing or encouraging any activities, including economic means, by anyone which

directly or indirectly, coerce or compel an individual to believe or not to believe in a religion or to convert his or her religion or belief. The Government of the Lao People's Democratic Republic considers that all acts creating division and discrimination among ethnic groups and among religions are incompatible with Article 18 of the Covenant.

Bezwaar door Finland, 5 oktober 2010

The Government of Finland welcomes the ratification by the Lao People's Democratic Republic of the International Covenant on Civil and Political Rights. Finland has taken note of the reservation made by the Lao People's Democratic Republic to Article 22 thereof upon ratification. The Government of Finland notes that Article 22(2) provides that States Parties may, under certain specific circumstances and for certain specific purposes, restrict the right protected under Article 22(1). The Government of Finland is of the view that the reservation made by the Lao People's Democratic Republic seeks to limit the obligation of the Lao People's Democratic Republic not to restrict the freedom of association to an extent which is incompatible with Article 22(2). The reservation would therefore restrict one of the essential obligations of the Lao People's Democratic Republic under the Covenant and raises serious doubts as to the commitment of the Lao People's Democratic Republic to the object and purpose of the Covenant.

It is in the common interest of States that treaties they have chosen to become parties to 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 such treaties. Furthermore, according to the Vienna Convention on the Law of Treaties of 23 May 1969, and according to well established customary international law, a reservation contrary to the object and purpose of the treaty shall not be permitted.

The Government of Finland therefore objects to the reservation made by the Government of the Lao People's Democratic Republic in respect of Article 22 of the International Covenant on Civil and Political Rights. This objection shall not preclude the entry into force of the Covenant between the Lao People's Democratic Republic and Finland. The Covenant will thus become operative between the two states without the Lao People's Democratic Republic benefiting from its reservation.

Bezwaar door Ierland, 13 oktober 2010

The Government of Ireland has examined the reservations and declarations made by the Lao People's Democratic Republic upon ratification of the International Covenant on Civil and Political Rights, and notes in particular, the intention of the Lao

People's Democratic Republic to apply the provisions in Article 22 of the Covenant in its territory only insofar as those provisions are in conformity with the Constitution and relevant laws of the Lao People's Democratic Republic.

The Government of Ireland is of the view that a reservation which consists of a general reference to the Constitution or domestic laws of the reserving State and which does not clearly specify the extent of the derogation from the provision of the Covenant may cast doubts on the commitment of the reserving state to fulfil its obligations under the Covenant.

The Government of Ireland is furthermore of the view that such a reservation may undermine the basis of international treaty law and is incompatible with the object and purpose of the Covenant. The Government of Ireland recalls that according to Article 19 (c) of the Vienna Convention on the Law of Treaties, a reservation incompatible with the object and purpose of the Covenant shall not be permitted.

The Government of Ireland therefore objects to the aforesaid reservation made by the Lao People's Democratic Republic to Article 22 of the International Covenant on Civil and Political Rights. This objection shall not preclude the entry into force of the Covenant between Ireland and the Lao People's Democratic Republic.

Bezwaar door **Nederlanden, het Koninkrijk der**, 8 oktober 2010

The Government of the Kingdom of the Netherlands has carefully examined the reservation made by the Government of the Lao People's Democratic Republic upon ratification of the International Covenant on Civil and Political Rights.

The Government of the Kingdom of the Netherlands considers that with this reservation the application of Article 22 of the Covenant is made subject to national law in force in the Lao People's Democratic Republic. This makes it unclear to what extent the Lao People's Democratic Republic considers itself bound by the obligations under Article 22 of the Covenant.

The Government of the Kingdom of the Netherlands considers that such a reservation must be regarded as incompatible with the object and purpose of the Covenant and would recall that, according to Article 19 (c) of the Vienna Convention on the Law of Treaties, a reservation incompatible with the object and purpose of the Covenant shall not be permitted.

The Government of the Kingdom of the Netherlands therefore objects to the reservation made by the Government of the Lao People's Democratic Republic to Article 22 of the Covenant. This objection does not constitute an obstacle to the entry into force of the Covenant between the Kingdom of the Netherlands and the Lao People's Democratic Republic.

Bezwaar door Oostenrijk, 13 oktober 2010

The Government of Austria has examined the reservation made by the Government of the Lao People's Democratic Republic to Article 22 of the International Covenant on Civil and Political Rights at the time of its ratification.

In the view of Austria a reservation should clearly define for the other States Parties to the Covenant the extent to which the reserving State has accepted the obligations of the Covenant. A reservation which consists of a general reference to constitutional provisions without specifying its implications does not do so. The Government of Austria therefore objects to the reservation made by the Government of the Lao People's Democratic Republic.

This objection shall not preclude the entry into force of the Covenant between Austria and the Lao People's Democratic Republic.

Bezwaar door Verenigd Koninkrijk, het, 21 oktober 2010

Communication regarding the reservation:

The United Kingdom of Great Britain and Northern Ireland has carefully examined the reservation made by the Government of the Lao People's Democratic Republic upon ratification of the International Covenant on Civil and Political Rights.

The United Kingdom considers that with this reservation the application of Article 22 of the Covenant is made subject to national law in force in the Lao People's Democratic Republic. This makes it unclear to what extent the Lao People's Democratic Republic considers itself bound by the obligations under Article 22 of the Covenant.

The United Kingdom considers that a reservation should clearly define for the other States Parties to the Covenant the extent to which the reserving State has accepted the obligations of the Covenant. A reservation which consists of a general reference to national law without specifying its implications does not do so. The United Kingdom therefore objects to the reservation made by the Government of the Lao People's Democratic Republic to Article 22 of the Covenant. This objection shall not preclude the entry into force of the Covenant between the United Kingdom of Great Britain and Northern Ireland and the Lao People's Democratic Republic.

Bezwaar door Zweden, 18 oktober 2010

Communication regarding the reservation:

The Government of Sweden notes that the Lao People's Democratic Republic has reserved the right to interpret Article 22 in accordance with Article 1, and to apply to Article 22 as to be in conformity with the Constitution and relevant national laws of the Lao People's Democratic Republic. The Government of Swe-

den is of the belief that this reservation, which does not clearly specify the extent of the derogation, raises serious doubt as to the commitment of the Lao People's Democratic Republic to the object and purpose of the Covenant.

According to international customary law, as codified in Article 19 of 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 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 obligation under the treaties.

Furthermore, the Government of Sweden recalls that the designation assigned to a statement whereby the legal effect of certain provisions of a treaty is modified or excluded does not determine its status as a reservation to the treaty. It is the understanding of the Government of Sweden that the declaration of the Lao People's Democratic Republic concerning articles 1 and 18 of the Covenant modifies the legal effect of the provisions of the Covenant in their application to Lao People's Democratic Republic. Hence the Government of Sweden considers that these interpretative declarations in substance constitute reservations.

The Government of Sweden therefore objects to the aforesaid reservations made by the Lao People's Democratic Republic to the International Covenant on Civil and Political Rights and considers the reservations null and void.

This objection does not preclude the entry into force of the Covenant between the Lao People's Democratic Republic and Sweden. The Covenant enters into force in its entirety between the two States, without Lao People's Democratic Republic benefiting from its reservations.

Libië, 15 mei 1970

The acceptance and the accession to this Covenant by the Libyan Arab Republic shall in no way signify a recognition of Israel or be conducive to entry by the Libyan Arab Republic into such dealings with Israel as are regulated by the Covenant.

Bezwaar door Israël, 29 juni 1970

[The Government of Israel] has noted the political character of the declaration made by the Government of the Libyan Arab Republic [upon accession to] the above Covenants. In the view of the Government of Israel, these two Covenants are not the proper place for making such political pronouncements. The Government of Israel will, in so far as concerns the substance of the matter, adopt towards the Government of the Libyan Arab Republic an attitude of complete reciprocity. [Moreover, the dec-

laration concerned] cannot in any way affect the obligations of the Libyan Arab Republic already existing under general international law.

Liechtenstein, 10 december 1998

Declarations concerning article 3:

The Principality of Liechtenstein declares that it does not interpret the provisions of article 3 of the Covenant as constituting an impediment to the constitutional rules on the hereditary succession to the throne of the Reigning Prince.

Reservation concerning article 14 (1):

The Principality of Liechtenstein reserves the right to apply the provisions of article 14, paragraph 1 of the Covenant, concerning the principle that hearings must be held and judgments pronounced in public, only within the limits deriving from the principles at present embodied in the Liechtenstein legislation on legal proceedings.

Reservation concerning article 17 (1):

The Principality of Liechtenstein makes the reservation that the right to respect for family life, as guaranteed by article 17, paragraph 1 of the Covenant, shall be exercised, with regard to aliens, in accordance with the principles at present embodied in the legislation on aliens.

Reservation concerning article 20 (2):

The Principality of Liechtenstein reserves the right not to adopt further measures to ban propaganda for war, which is prohibited by article 20, paragraph 1 of the Covenant. The Principality of Liechtenstein reserves the right to adopt a criminal provision which will take into account the requirements of article 20, paragraph 2, on the occasion of its possible accession to the Convention of 21 December 1965 on the Elimination of All Forms of Racial Discrimination.

Reservation concerning article 24 (3):

The Principality of Liechtenstein reserves the right to apply the Liechtenstein legislation according to which Liechtenstein nationality is granted under certain conditions.

Reservation concerning article 26:

The Principality of Liechtenstein reserves the right to guarantee the rights contained in article 26 of the Covenant concerning the equality of all persons before the law and their entitlement without any discrimination to the equal protection of the law only in connection with other rights contained in the present Covenant.

The Principality of Liechtenstein declares under article 41 of the Covenant to recognize the competence of the Human Rights Committee, to receive and consider communications to the effect that a State party claims that another State party is not fulfilling its obligations under the Covenant.

Liechtenstein, 28 april 2000

Withdrawal of the reservation to Article 20, paragraph 2 of the Covenant made upon accession.

Liechtenstein, 13 oktober 2009

Withdrawal of reservation concerning Article 24, paragraph 3 of the Covenant made upon accession.

Luxemburg, 18 augustus 1983

(a) The Government of Luxembourg considers that article 10, paragraph 3, which provides that juvenile offenders shall be segregated from adults and accorded treatment appropriate to their age and legal status, refers solely to the legal measures incorporated in the system for the protection of minors, which is the subject of the Luxembourg youth welfare act. With regard to other juvenile offenders falling within the sphere of ordinary law, the Government of Luxembourg wishes to retain the option of adopting measures that might be more flexible and be designed to serve the interests of the persons concerned.

(b) The Government of Luxembourg declares that it is implementing article 14, paragraph 5, since that paragraph does not conflict with the relevant Luxembourg legal statutes, which provide that, following an acquittal or a conviction by a court of first instance, a higher tribunal may deliver a sentence, confirm the sentence passed or impose a harsher penalty for the same crime. However, the tribunal's decision does not give the person declared guilty on appeal the right to appeal that conviction to a higher appellate jurisdiction.

The Government of Luxembourg further declares that article 14, paragraph 5, shall not apply to persons who, under Luxembourg law, are remanded directly to a higher court or brought before the Assize Court.

(c) The Government of Luxembourg accepts the provision in article 19, paragraph 2, provided that it does not preclude it from requiring broadcasting, television and film companies to be licensed.

(d) The Government of Luxembourg declares that it does not consider itself obligated to adopt legislation in the field covered by article 20, paragraph 1, and that article 20 as a whole will be implemented taking into account the rights to freedom of thought, religion, opinion, assembly and association laid down in articles 18, 19 and 20 of the Universal Declaration of Human Rights and reaffirmed in articles 18, 19, 21 and 22 of the Covenant.

The Government of Luxembourg recognizes, in accordance with article 41, the competence of the Human Rights Committee referred to in article 28 of the Covenant to receive and consider communications to the effect that a State party claims that another State party is not fulfilling its obligations under the Covenant.

Luxemburg, 1 december 2004

The Government of Luxembourg declares that it is implementing article 14, paragraph 5, since that paragraph does not conflict with the relevant Luxembourg legal statutes, which provide that, following an acquittal or a conviction by a court of first instance, a higher tribunal may deliver a sentence, confirm the sentence passed or impose a harsher penalty for the same crime. However, the tribunal's decision does not give the person declared guilty on appeal the right to appeal that conviction to a higher appellate jurisdiction.

The Government of Luxembourg further declares that article 14, paragraph 5, shall not apply to persons who, under Luxembourg law, are remanded directly to a higher court.

Maldiven, de, 19 september 2006

The application of the principles set out in Article 18 of the Covenant shall be without prejudice to the Constitution of the Republic of Maldives.

Bezwaar door Australië, 18 september 2007

The Government of Australia considers that the reservation with respect to article 18 of the Covenant is a reservation incompatible with the object and purpose of the Covenant.

The Government of the Australia recalls 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 is not 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.

Furthermore, the Government of Australia considers that the Republic of Maldives, through this reservation, is purporting to make the application of the International Covenant on Civil and Political Rights subject to the provisions of constitutional law in force in the Republic of Maldives. As a result, it is unclear to what extent the Republic of Maldives considers itself bound by the obligations of the Covenant and therefore raises concerns as to the commitment of the Republic of Maldives to the object and purpose of the Covenant.

The Government of Australia considers that the reservation with respect to article 18 of the Covenant is subject to the general principle of treaty interpretation, pursuant to Article 27 of the Vienna Convention on the Law of Treaties, according to which a party may not invoke the provisions of its internal law as justification for its failure to perform a treaty.

Further, the Government of Australia recalls that according to article 4 (2) of the Covenant, no derogation of article 18 is permitted.

For the above reasons, the Government of Australia objects to the aforesaid reservation made by the Republic of Maldives to the International Covenant on Civil and Political Rights and expresses the hope that the Republic of Maldives will soon be able to withdraw its reservation in light of the ongoing process of a revision of the Maldivian Constitution.

This objection shall not preclude the entry into force of the Covenant between Australia and the Republic of Maldives.

Bezwaar door Canada, 18 september 2007

The Government of Canada has carefully examined the reservation made by the Government of the Maldives upon acceding to the International Covenant on Civil and Political Rights, in accordance with which the “application of the principles set out in Article 18 of the Covenant shall be without prejudice to the Constitution of the Republic of Maldives”.

The Government of Canada considers that a reservation which consists of a general reference to national law constitutes, in reality, a reservation with a general, indeterminate scope, such that it makes it impossible to identify the modifications to obligations under the Covenant, which it purports to introduce and it 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 Covenant.

The Government of Canada notes that the reservation made by the Government of the Maldives which addresses one of the most essential provisions of the Covenant, to which no derogation is allowed according to article 4 of the Covenant, is in contradiction with the object and purpose of the Covenant. The Government of Canada therefore objects to the aforesaid reservation made by the Government of the Maldives.

This objection does not preclude the entry into force in its entirety of the Covenant between Canada and the Maldives.

Bezwaar door Duitsland, 12 september 2007

The Government of the Federal Republic of Germany has carefully examined the declaration made by the Government of the Republic of Maldives on 19 September 2006 in respect of Article 18 of the International Covenant on Civil and Political Rights. The Government of the Federal Republic of Germany is of the opinion that reservations which consist in a general reference to a system of norms (like the constitution or the legal order of the reserving State) without specifying the contents thereof leave it uncertain to which extent that State accepts to be bound by the

obligations under the treaty. Moreover, those norms may be subject to changes.

The reservation made by the Republic of Maldives is therefore not sufficiently precise to make it possible to determine the restrictions that are introduced into the agreement. The Government of the Federal Republic of Germany is therefore of the opinion that the reservation is capable of contravening the object and purpose of the Covenant.

The Government of the Federal Republic of Germany therefore regards the above-mentioned reservation incompatible with the object and purpose of the Covenant. This objection shall not preclude the entry into force of the Covenant between the Federal Republic of Germany and the Republic of Maldives.

Bezwaar door Estland, 12 september 2007

The Government of Estonia has carefully examined the reservation made by the Republic of Maldives to Article 18 of the International Covenant on Civil and Political Rights. The Government of Estonia considers the reservation to be incompatible with the object and purpose of the Covenant as with this reservation the application of the International Covenant on Civil and Political Rights is made subject to the provisions of constitutional law. The Government of Estonia is of the view that the reservation makes it unclear to what extent the Republic of Maldives considers itself bound by the obligations of the Covenant and therefore raises concerns as to the commitment of the Republic of Maldives to the object and purpose of the Covenant.

The Government of Estonia therefore objects to the reservation made by the Republic of Maldives to Article 18 of the International Covenant on Civil and Political Rights and expresses the hope that the Republic of Maldives will soon be able to withdraw its reservation in light of the ongoing process of the revision of the Maldivian Constitution.

This objection shall not preclude the entry into force of the International Covenant on Civil and Political Rights between Estonia and the Republic of Maldives.

Bezwaar door Finland, 14 september 2007

The Government of Finland has examined the reservation made by the Republic of Maldives to the International Covenant on Civil and Political Rights. The Government of Finland notes that the Republic of Maldives reserves the right to interpret and apply the provisions of Article 18 of the Covenant in accordance with the related provisions and rules of the Constitution of the Republic of Maldives.

The Government of Finland notes that a reservation which consists of a general reference to national law without specifying its

contents does not clearly define to other Parties to the Covenant the extent to which the reserving State commits itself to the Covenant and creates serious doubts as to the commitment of the receiving State to fulfil its obligations under the Covenant. 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.

Furthermore, the Government of Finland emphasises the great importance of the right to freedom of thought, conscience and religion which is provided for in Article 18 of the International Covenant on Civil and Political Rights. 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 of freedom of thought, conscience and religion recognised in the Covenant and will do its utmost to bring its national legislation into compliance with the obligations under the Covenant with a view to withdrawing the reservation.

This declaration does not preclude the entry into force of the Covenant between the Republic of Maldives and Finland. The Covenant will thus become operative between the two states without the Republic of Maldives benefiting from its reservation.

Bezwaar door Frankrijk, 19 september 2007

The Government of the French Republic has reviewed the reservation made by the Republic of Maldives at the time of its accession to the International Covenant on Civil and Political Rights of 16 December 1966 to the effect that the Republic of Maldives intends to apply the principles relating to freedom of thought, conscience and religion set out in article 18 of the Covenant without prejudice to its own Constitution.

The French Republic considers that by subordinating the general application of a right set out in the Covenant to its internal law, the Republic of Maldives is formulating a reservation that is likely to deprive a provision of the Covenant of any effect and makes it impossible for other States Parties to know the extent of its commitment.

The Government of the French Republic considers the reservation as contrary to the object and purpose of the Covenant. It therefore objects to that reservation. This objection does not prevent the entry into force of the Covenant between the French Republic and the Republic of Maldives.

Bezwaar door Hongarije, 18 september 2007

The Government of the Republic of Hungary has examined the reservation made by the Republic of Maldives on 19 September 2006 upon accession to the International Convention on Civil and

Political Rights of 16 December 1966. The reservation states that the application of the principles set out in Article 18 of the Covenant shall be without prejudice to the Constitution of the Republic of Maldives.

The Government of the Republic of Hungary is of the opinion that the reservation to Article 18 will unavoidably result in a legal situation in respect of the Republic of Maldives, which is incompatible with the object and purpose of the Convention.

Namely the reservation makes it unclear to what extent the Republic of Maldives considers itself bound by the obligations of the Covenant thus raising concerns as to its commitment to the object and purpose of the Covenant.

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.

According to Article 19 point (c) of the Vienna Convention on the Law of Treaties of 1969, a State may formulate a reservation unless it is incompatible with the object and purpose of the treaty. 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 Republic of Maldives.

Bezwaar door Ierland, 19 september 2007

The Government of Ireland notes that the Republic of Maldives subjects application of Article 18 of the International Covenant on Civil and Political Rights to the Constitution of the Republic of Maldives.

The Government of Ireland is of the view that a reservation which consists of a general reference to the Constitution of the reserving State and which does not clearly specify the extent of the derogation from the provision of the Covenant may cast doubts on the commitment of the reserving state to fulfil its obligations under the Covenant.

The Government of Ireland is furthermore of the view that such a reservation may undermine the basis of international treaty law and is incompatible with the object and purpose of the Covenant. The Government of Ireland therefore objects to the aforesaid reservation made by the Republic of Maldives to Article 18 of the International Covenant on Civil and Political Rights.

This objection shall not preclude the entry into force of the Covenant between Ireland and the Republic of Maldives.

Bezwaar door Italië, 1 november 2007

The Government of Italy has examined the reservation made by the Republic of Maldives with respect to Article 18 of the International Covenant on Civil and Political Rights.

The Government of Italy considers that, by providing that the application of Article 18 is without prejudice to the Constitution of the Republic of Maldives, the reservation does not clearly define the extent to which the reserving State has accepted the obligation under that Article. This reservation raises serious doubts about the real extent of the commitment undertaken by the Republic of Maldives and is capable of contravening the object and purpose of the Covenant.

The Government of Italy therefore objects to the above-mentioned reservation made by the Republic of Maldives.

This objection, however, shall not preclude the entry into force of the Covenant between the Government of Italy and the Republic of Maldives.

Bezwaar door Letland, 4 september 2007

The Government of the Republic of Latvia has carefully examined the reservation made by the Republic of Maldives to the International Covenant on Civil and Political Rights upon accession.

The Government of the Republic of Latvia considers that the said reservation makes the constitutive provisions of International Covenant subject to the national law (the Constitution) of the Republic of Maldives.

The Government of the Republic of Latvia recalls that customary international law as codified by Vienna Convention on the Law of Treaties, and in particular Article 19 (c), sets out that reservations that are incompatible with the object and purpose of a treaty are not permissible.

The Government of the Republic of Latvia, therefore, objects to the aforesaid reservations made by the Republic of Maldives to the International Covenant on Civil and Political Rights.

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

Bezwaar door **Nederlanden, het Koninkrijk der**, 27 juli 2007

The Government of the Kingdom of the Netherlands has examined the reservation made by the Republic of Maldives to the International Covenant on Civil and Political Rights. The Government of the Kingdom of the Netherlands considers that the

reservation with respect to article 18 of the Covenant is a reservation incompatible with the object and purpose of the Covenant. Furthermore, the Government of the Kingdom of the Netherlands considers that with this reservation the application of the International Covenant on Civil and Political Rights is made subject to the provisions of constitutional law in force in the Republic of Maldives. This makes it unclear to what extent the Republic of Maldives considers itself bound by the obligations of the Covenant and therefore raises concerns as to the commitment of the Republic of Maldives to the object and purpose of the Covenant. The Government of the Kingdom of the Netherlands recalls 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 is not 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 Republic of Maldives to the International Covenant on Civil and Political Rights and expresses the hope that the Republic of Maldives will soon be able to withdraw its reservation in light of the ongoing process of a revision of the Maldivian Constitution.

This objection shall not preclude the entry into force of the Covenant between the Kingdom of the Netherlands and the Republic of Maldives.

Bezwaar door Oostenrijk, 18 september 2007

The Government of Austria has carefully examined the reservation made by the Government of the Republic of Maldives on 19 September 2006 in respect of Article 18 of the International Covenant on Civil and Political Rights.

The Government of Austria is of the opinion that reservations which consist in a general reference to a system of norms (like the constitution of the legal order of the reserving State) without specifying the contents thereof leave it uncertain to which extent that State accepts to be bound by the obligations under the treaty. Moreover, those norms may be subject to changes.

The reservation made by the Republic of Maldives is therefore not sufficiently precise to make it possible to determine the restrictions that are introduced into the agreement. The Government of Austria is therefore of the opinion that the reservation is capable of contravening the object and purpose of the Covenant. The Government of Austria therefore regards the above-mentioned reservation incompatible with the object and purpose

of the Covenant. This objection shall not preclude the entry into force of the Covenant between the Republic of Austria and the Republic of Maldives.

Bezwaar door Portugal, 29 augustus 2007

The Government of the Portuguese Republic has carefully examined the reservation made by the Republic of Maldives to the International Covenant on Civil and Political Rights (ICCPR).

According to the reservation, the application of the principles set out in Article 18 of the Covenant shall be without prejudice to the Constitution of the Republic of Maldives.

Portugal considers that this article is a fundamental provision of the Covenant and the reservation makes it unclear to what extent the Republic of Maldives considers itself bound by the obligations of the Covenant, raises concerns as to its commitment to the object and purpose of the Covenant 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 mentioned reservation made by the Republic of Maldives to the ICCPR.

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

Bezwaar door Slowakije, 21 december 2007

The Government of Slovakia has carefully examined the content of the reservations made by the Republic of Maldives upon its accession to the International Covenant on Civil and Political Rights.

The Government of Slovakia is of the view that general reservation made by the Republic of Maldives that (The application of the principles set out in Article 18 of the Covenant shall be without prejudice to the Constitution of the Republic of Maldives (is too general and does not clearly specify the extent of the obligations under the Covenant for the Republic of Maldives.

According to the Maldivian legal system, mainly based on the principles of Islamic law, the reservation raises doubts as to the commitment of of the Republic of Maldives to its obligations under the Covenant, essential for the fulfillment of its object and purpose.

The Government of Slovakia objects for these reasons to the above mentioned reservation, made by the Government of the Republic of Maldives upon its accession to the International Cov-

enant on Civil and Political Rights.

Bezwaar door Spanje, 17 september 2007

The Government of the Kingdom of Spain has reviewed the reservation made by the Republic of Maldives on 19 September 2006, at the time of its accession to the International Covenant on Civil and Political Rights of 16 December 1966.

The Government of the Kingdom of Spain observes that the broad formulation of the reservation, which makes the application of article 18 of the International Covenant on Civil and Political Rights conditional on its conformity with the Constitution of Maldives without specifying the content thereof, renders it impossible to ascertain to what extent the Republic of Maldives has accepted the obligations arising from that provision of the Covenant and, in consequence, raises doubts about its commitment to the object and purpose of the treaty.

The Government of the Kingdom of Spain considers the reservation of the Republic of Maldives to the International Covenant on Civil and Political Rights as incompatible with the object and purpose of the Covenant.

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

Accordingly, the Government of Spain objects to the reservation made by the Republic of Maldives to the International Covenant on Civil and Political Rights.

This objection does not prevent the entry into force of the International Covenant on Civil and Political Rights between the Kingdom of Spain and the Republic of Maldives.

Bezwaar door Tsjechië, 12 september 2007

The Government of the Czech Republic has carefully examined the contents of the reservation made by the Republic of Maldives upon accession to the International Covenant on Civil and Political Rights, adopted on 16 December 1966, in respect of Article 18 thereof.

The Government of the Czech Republic is of the opinion that the aforementioned reservation is in contradiction with the general principle of treaty interpretation according to which a State party to a treaty may not invoke the provisions of its internal law as justification for failure to perform according to the obligations set out by the treaty. Furthermore, the reservation consists of a general reference to the Constitution without specifying its content and as such does not clearly define to other Parties to the Covenant the extent to which the reserving State commits itself to the Covenant.

The Government of the Czech Republic recalls that 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. 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 reservation made by the Republic of Maldives to the Covenant. This objection shall not preclude the entry into force of the Covenant between the Czech Republic and the Republic of Maldives, without the Republic of Maldives benefiting from its reservation.

Bezwaar door Verenigd Koninkrijk, het, 6 september 2007

The Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations presents its compliments to the Secretary-General and has the honour to refer to the reservation made by the Government of the Maldives to the International Covenant on Civil and Political Rights, which reads:

'The application of the principles set out in Article 18 [freedom of thought, conscience and religion] of the Covenant shall be without prejudice to the Constitution of the Republic of the Maldives.'

In the view of the United Kingdom a reservation should clearly define for the other States Parties to the Covenant the extent to which the reserving State has accepted the obligations of the Covenant. A reservation which consists of a general reference to a constitutional provision without specifying its implications does not do so. The Government of the United Kingdom therefore objects to the reservation made by the Government of the Maldives.

This objection shall not preclude the entry into force of the Covenant between the United Kingdom and the Maldives.

Bezwaar door Zweden, 18 september 2007

[...] the Government of Sweden has examined the reservation made by the Government of the Republic of Maldives on 19 September 2006 to the International Covenant on Civil and Political Rights.

The Government of Sweden notes that the Maldives gives precedence to its Constitution over the application of article 18 of the Covenant. The Government of Sweden is of the view that this reservation, which does not clearly specify the extent of the Maldives' derogation from the provision in question, raises serious

doubt as to the commitment of the Maldives to the object and purpose of the Covenant.

According to international customary law, as codified in the Vienna Convention on the Law of Treaties, reservations incompatible with the object and purpose of a treaty 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 reservation made by the Republic of Maldives to the International Covenant on Civil and Political Rights and considers the reservation null and void. This objection shall not preclude the entry into force of the Covenant between the Maldives and Sweden. The Covenant enters into force in its entirety between the Maldives and Sweden, without the Maldives benefiting from its reservation.

Malta, 13 september 1990

1. Article 13 – The Government of Malta endorses the principles laid down in article 13. However, in the present circumstances it cannot comply entirely with the provisions of this article;

2. Article 14 (2) – The Government of Malta declares that it interprets paragraph 2 of article 14 of the Covenant in the sense that it does not preclude any particular law from imposing upon any person charged under such law the burden of proving particular facts;

3. Article 14 (6) – While the Government of Malta accepts the principle of compensation for wrongful imprisonment, it is not possible at this time to implement such a principle in accordance with article 14, paragraph 6, of the Covenant;

4. Article 19 – The Government of Malta desiring to avoid any uncertainty as regards the application of article 19 of the Covenant declares that the Constitution of Malta allow such restrictions to be imposed upon public officers in regard to their freedom of expression as are reasonably justifiable in a democratic society. The code of Conduct of public officers in Malta precludes them from taking an active part in political discussions or other political activity during working hours or on the premises.

The Government of Malta also reserves the right not to apply article 19 to the extent that this may be fully compatible with Act 1 of 1987 entitled “An act to regulate the limitations on the political activities of aliens”, and this in accordance with Article 16 of the Convention of Rome (1950) for the protection of Human Rights and Fundamental Freedoms or with Section 41 (2) (a) (ii) of the Constitution of Malta;

5. Article 20 – The Government of Malta interprets article 20 consistently with the rights conferred by Articles 19 and 21 of the Covenant but reserves the right not to introduce any legislation for the purposes of article 20;

6. Article 22 – the Government of Malta reserves the right not to apply article 22 to the extent that existing legislative measures may not be fully compatible with this article.

The Government of Malta declares that under article 41 of this Covenant it recognises the competence of the Human Rights Committee to receive and consider communications submitted by another State Party, provided that such other State Party has, not less than twelve months prior to the submission by it of a communication relating to Malta, made a declaration under article 41 recognising the competence of the Committee to receive and consider communications relating to itself.

Mauritanië, 17 november 2004

Article 18

1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.

2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.

3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.

4. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.

The Mauritanian Government, while accepting the provisions set out in article 18 concerning freedom of thought, conscience and religion, declares that their application shall be without prejudice to the Islamic Shariah.

Article 23, paragraph 4

States Parties to the present Covenant shall take appropriate steps to ensure equality of rights and responsibilities of spouses as to marriage, during marriage and at its dissolution. In the case of dissolution, provision shall be made for the necessary protection of any children.

The Mauritanian Government interprets the provisions of article 23, paragraph 4, on the rights and responsibilities of spouses as to marriage as not affecting in any way the prescriptions of the Islamic Shariah.

Bezwaar door Duitsland, 15 november 2005

The Government of the Federal Republic of Germany has carefully examined the declaration made by the Government of Mauritania on 17 November 2004 in respect of Articles 18 and 23 (4) of the International Covenant on Civil and Political Rights.

The Government of the Federal Republic of Germany is of the opinion that the limitations set out therein leave it unclear to which extent Mauritania considers itself bound by the obligations resulting from the Covenant.

The Government of the Federal Republic of Germany therefore regards the above-mentioned declaration as a reservation and as incompatible with the object and purpose of the Covenant.

The Government of the Federal Republic of Germany therefore objects to the above-mentioned reservation made by the Government of Mauritania to the International Covenant on Civil and Political Rights. This objection shall not preclude the entry into force of the Covenant between the Federal Republic of Germany and Mauritania.

Bezwaar door Finland, 15 november 2005

The Government of Finland has carefully examined the contents of the declaration made by the Government of Mauritania on Article 18 and paragraph 4 of Article 23 of the International Covenant on Civil and Political Rights.

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 Government of Mauritania, addressing some of the most essential provisions of the Covenant, and aiming to exclude the obligations under those provisions, are in contradiction with the object and purpose of the Covenant.

The Government of Finland therefore objects to the above-mentioned declaration made by the Government of Mauritania to the Covenant. This objection does not preclude the entry into force of the Covenant between the Islamic Republic of Mauritania and Finland. The Covenant will thus become operative between the two states without the Islamic Republic of Mauritania benefiting from its declarations.

Bezwaar door Frankrijk, 18 november 2005

The Government of the French Republic has examined the declarations formulated by the Government of Mauritania upon acceding to the International Covenant on Civil and Political Rights, adopted on 16 December 1966, in accordance with which the Government of Mauritania, on the one hand, 'while accepting the provisions set out in article 18 concerning freedom of thought, conscience and religion, declares that their application shall be without prejudice to the Islamic sharia' and, on the other, 'interprets the provisions of article 23, paragraph 4, on the rights and responsibilities of spouses as to marriage as not affecting in any way the prescriptions of the Islamic sharia'. By making the application of article 18 and the interpretation of article 23, paragraph 4, of the Covenant subject to the prescriptions of the Islamic sharia, the Government of Mauritania is, in reality, formulating reservations with a general, indeterminate scope, such that they make it impossible to identify the modifications to obligations under the Covenant, which they purport to introduce. The Government of the French Republic considers that the reservations thus formulated are likely to deprive the provisions of the Covenant of any effect and are contrary to the object and purpose thereof. It therefore enters an objection to these reservations. This objection shall not preclude the entry into force of the Convention between France and Mauritania.

Bezwaar door Griekenland, 24 oktober 2005

The Government of the Hellenic Republic have examined the reservations made by the Government of the Islamic Republic of Mauritania upon accession to the International Covenant on Civil and Political Rights (New York, 16 December 1966) in respect of articles 18 and 23 paragraph 4 thereof.

The Government of the Hellenic Republic consider that these declarations, seeking to limit the scope of the aforementioned provisions on a unilateral basis, amount in fact to reservations.

The Government of the Hellenic Republic furthermore consider that, although these reservations refer to specific provisions of the Covenant, they are of a general character, as they do not clearly define the extent to which the reserving State has accepted the obligations deriving from the Covenant.

For these reasons, the Government of the Hellenic Republic object to the abovementioned reservations made by the Government of the Islamic Republic of Mauritania.

This objection shall not preclude the entry into force of the Covenant between Greece and Mauritania.

Bezwaar door Letland, 15 november 2005

The Government of the Republic of Latvia has carefully examined the declaration made by Mauritania to the International Covenant on Civil and Political Rights upon accession.

The Government of the Republic of Latvia considers that the declaration contains general reference to prescriptions of the Islamic Shariah, making the provisions of International Covenant subject to the prescriptions of the Islamic Shariah.

Thus, the Government of the Republic of Latvia is of the opinion that the declaration is in fact a unilateral act deemed to limit the scope of application of the International Covenant and therefore, it shall be regarded as a reservation.

Moreover, the Government of the Republic of Latvia noted that the reservation does not make it clear to what extent Mauritania considers itself bound by the provisions of the International Covenant and whether the way of implementation of the provisions of the International Covenant is in line with the object and purpose of the International Covenant.

The Government of the Republic of Latvia recalls that customary international law as codified by Vienna Convention on the Law of Treaties, and in particular Article 19c), sets out that reservations that are incompatible with the object and purpose of a treaty are not permissible.

The Government of the Republic of Latvia therefore objects to the aforesaid reservations made by Mauritania to the International Covenant on Civil and Political Rights.

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

Bezwaar door **Nederlanden, het Koninkrijk der**, 31 mei 2005

The Government of the Netherlands has examined the reservation made by Mauritania to the International Covenant on Civil and Political Rights.

The application of the Articles 18 and 23 of the International Covenant on Civil and Political Rights has been made subject to religious considerations. This makes it unclear to what extent Mauritania considers itself bound by the obligations of the treaty and therefore raises concerns as to the commitment of Mauritania 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 Mauritania to the International Covenant on Civil and Political Rights.

This objection shall not preclude the entry into force of the Covenant between Mauritania and the Kingdom of the Netherlands, without Mauritania benefiting from its reservation.

Bezwaar door Polen, 22 november 2005

The Government of the Republic of Poland has examined the Declaration made by Mauritania upon accession to the International Covenant on Civil and Political Rights, done in New York on 16 December 1966, hereinafter called the Covenant, in respect of Articles 18 and 23 (4).

The Government of the Republic of Poland considers that the Declaration made Mauritania – which constitutes de facto a reservation – is incompatible with the object and purpose of the Covenant which guarantees every person equal enjoyment of the rights set forth in the Covenant.

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, done at Vienna on 23 May 1969, a reservation incompatible with the object and purpose of a treaty shall not be permitted (Article 19 c).

Furthermore, the Government of the Republic of Poland considers that the Declaration made by Mauritania is not precise enough to define for the other State Parties the extent to which Mauritania has accepted the obligation of the Covenant.

The Government of the Republic of Poland therefore objects to Declaration made by Mauritania.

This objection does not preclude the entry into force of the Covenant between the Republic of Poland and Mauritania.

Bezwaar door Portugal, 21 november 2005

Portugal considers that the declaration concerning both Article 18 and Article 23, paragraph 4 is a reservation that seeks to limit the scope of the Covenant on a unilateral basis and that is not authorised by the Covenant.

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.

The Government of the Portuguese Republic, therefore, objects to the above reservation made by the Mauritanian Government to the International Covenant on Civil and Political Rights.

This objection shall not preclude the entry into force of the Covenant between Portugal and Mauritania.

Bezwaar door Verenigd Koninkrijk, het, 17 augustus 2005

The Government of the United Kingdom have examined the Declaration made by the Government of Mauritania to the International Covenant on Civil and Political Rights (done at New York on 16 December 1966) on 17 November 2004 in respect of Articles 18 and 23 (4).

The Government of the United Kingdom consider that the Government of Mauritania's declaration that:

'The Mauritanian Government, while accepting the provisions set out in article 18 concerning freedom of thought, conscience and religion, declares that their application shall be without prejudice to the Islamic Shariah. [...]

The Mauritanian Government interprets the provisions of article 23, paragraph 4, on the rights and responsibilities of spouses as to marriage as not affecting in any way the prescriptions of the Islamic Shariah' is a reservation which seeks to limit the scope of the Covenant on a unilateral basis.

The Government of the United Kingdom note that the Mauritanian 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 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, 5 oktober 2005

The Government of Sweden has examined the declarations made by the Government of Mauritania upon accession to the International Covenant on Civil and Political Rights, regarding Article 18 and paragraph 4 of Article 23.

The Government of Sweden would like to recall that the designation assigned to a statement whereby the legal effect of certain provisions of a treaty is excluded or modified does not determine its status as a reservation to the treaty. The Government of Sweden considers that this declaration made by the Government of Mauritania in substance constitutes a reservation.

The reservations make general references to the Islamic Sharia. The Government of Sweden is of the view that the reservations which do not clearly specify the extent of Mauritania's derogation from the provisions in question raises serious doubts as to

the commitment of Mauritania to the object and purpose of the Covenant. In addition, article 18 of the Covenant is among the provisions from which no derogation is allowed, according to article 4 of the Covenant.

The Government of Sweden wishes to recall that, according to customary international law as codified in the Vienna Convention on the Law of Treaties, a reservation that is incompatible with the object and purpose of a treaty shall not be permitted. It is in the common interest of States that all parties respect treaties to which they have chosen to become parties 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.

The Government of Sweden therefore objects to the aforesaid reservations made by the Government of Mauritania to the International Covenant on Civil and Political Rights and considers the reservation null and void. This objection does not preclude the entry into force of the Covenant between Mauritania and Sweden. The Covenant enters into force in its entirety between the two States, without Mauritania benefiting from its reservation.

Mexico, 23 maart 1981

Interpretative statements:

Article 9, paragraph 5

Under the Political Constitution of the United Mexican States and the relevant implementing legislation, every individual enjoys the guarantees relating to penal matters embodied therein, and consequently no person may be unlawfully arrested or detained. However, if by reason of false accusation or complaint any individual suffers an infringement of this basic right, he has, inter alia, under the provisions of the appropriate laws, an enforceable right to just compensation.

Article 18

Under the Political Constitution of the United Mexican States, every person is free to profess his preferred religious belief and to practice its ceremonies, rites and religious acts, with the limitation, with regard to public religious acts, that they must be performed in places of worship and, with regard to education, that studies carried out in establishments designed for the professional education of ministers of religion are not officially recognized. The Government of Mexico believes that these limitations are included among those established in paragraph 3 of this article.

Reservations:

Article 13

The Government of Mexico makes a reservation to this article, in view of the present text of article 33 of the Political Constitution of the United Mexican States.

Article 25, subparagraph (b)

The Government of Mexico also makes a reservation to this provision, since article 130 of the Political Constitution of the United Mexican States provides that ministers of religion shall have neither an active nor a passive vote, nor the right to form associations for political purposes.

Mexico, 15 maart 2002

Partial withdrawal of the reservation to article 25 (b) made upon accession.

Monaco, 26 juni 1997

Interpretative declarations and reservations:

The Government of Monaco declares that it does not interpret the provisions of article 2, paragraphs 1 and 2, and articles 3 and 25 as constituting an impediment to the constitutional rules on the devolution of the Crown, according to which succession to the Throne shall take place within the direct legitimate line of the Reigning Prince, in order of birth, with priority being given to male descendants within the same degree of relationship, or of those concerning the exercise of the functions of the Regency.

The Princely Government declares that the implementation of the principle set forth in article 13 shall not affect the texts in force on the entry and stay of foreigners in the Principality or of those on the expulsion of foreigners from Monegasque territory.

The Princely Government interprets article 14, paragraph 5, as embodying a general principle to which the law can introduce limited exceptions. This is particularly true with respect to certain offences that, in the first and last instances, are under the jurisdiction of the police court, and with respect to offences of a criminal nature. Furthermore, verdicts in the last instance can be appealed before the Court of Judicial Review, which shall rule on their legality.

The Princely Government declares that it considers article 19 to be compatible with the existing system of monopoly and authorization applicable to radio and television corporations.

The Princely Government, recalling that the exercise of the rights and freedoms set forth in articles 21 and 22 entails duties and responsibilities, declares that it interprets these articles as not prohibiting the application of requirements, conditions, restrictions or penalties which are prescribed by law and which are necessary in a democratic society to national security, territorial integrity or public safety, the defence of order and the prevention or crime, the protection of health or morals, and the protection of the reputation of others, or in order to prevent the disclosure of confidential information or to guarantee the authority and impartiality of the judiciary.

The Princely Government formulates a reservation concerning article 25, which shall not impede the application of article 25 of the Constitution and of Order No. 1730 of 7 May 1935 on public employment.

Article 26, together with article 2, paragraph 1, and article 25, is interpreted as not excluding the distinction in treatment between Monegasque and foreign nationals permitted under article 1, paragraph 2, of the International Convention on the Elimination of All Forms of Racial Discrimination, taking into account the distinctions established in articles 25 and 32 of the Monegasque Constitution.

Mongolië, 5 juni 1968

The Mongolian People's Republic declares that the provisions of paragraph 1 of article 26 of the International Covenant on Economic, Social and Cultural Rights and of paragraph 1 of article 48 of the International Covenant on Civil and Political Rights, under which a number of States cannot become parties to these Covenants, are of a discriminatory nature and considers that the Covenants, in accordance with the principle of sovereign equality of States, should be open for participation by all States concerned without any discrimination or limitation.

Nederlanden, het Koninkrijk der, 11 december 1978

Reservations:

Article 10

The Kingdom of the Netherlands subscribes to the principle set out in paragraph 1 of this article, but it takes the view that ideas about the treatment of prisoners are so liable to change that it does not wish to be bound by the obligations set out in paragraph 2 and paragraph 3 (second sentence) of this article.

Article 12, paragraph 1

The Kingdom of the Netherlands regards the Netherlands and the Netherlands Antilles as separate territories of a State for the purpose of this provision.

Article 12, paragraphs 2 and 4

The Kingdom of the Netherlands regards the Netherlands and the Netherlands Antilles as separate countries for the purpose of these provisions.

Article 14, paragraph 3 (d)

The Kingdom of the Netherlands reserves the statutory option of removing a person charged with a criminal offence from the court room in the interests of the proper conduct of the proceedings.

Article 14, paragraph 5

The Kingdom of the Netherlands reserves the statutory power of the Supreme Court of the Netherlands to have sole jurisdiction to try certain categories of persons charged with serious offences committed in the discharge of a public office.

Article 14, paragraph 7

The Kingdom of the Netherlands accepts this provision only insofar as no obligations arise from it further to those set out in article 68 of the Criminal Code of the Netherlands and article 70 of the Criminal Code of the Netherlands Antilles as they now apply. They read:

1. Except in cases where court decisions are eligible for review, no person may be prosecuted again for an offence in respect of which a court in the Netherlands or the Netherlands Antilles has delivered an irrevocable judgement.

2. If the judgement has been delivered by some other court, the same person may not be prosecuted for the same offence in the case of (I) acquittal or withdrawal of proceedings or (II) conviction followed by complete execution, remission or lapse of the sentence.

Article 19, paragraph 2

The Kingdom of the Netherlands accepts the provision with the proviso that it shall not prevent the Kingdom from requiring the licensing of broadcasting, television or cinema enterprises.

Article 20, paragraph 1

The Kingdom of the Netherlands does not accept the obligation set out in this provision in the case of the Netherlands.

[The Kingdom of the Netherlands] clarify that although the reservations [...] are partly of an interpretational nature, [it] has preferred reservations to interpretational declarations in all cases, since if the latter form were used doubt might arise concerning whether the text of the Covenant allows for the interpretation put upon it. By using the reservation form the Kingdom of the Netherlands wishes to ensure in all cases that the relevant obligations arising out of the Covenant will not apply to the Kingdom, or will apply only in the way indicated.

The Kingdom of the Netherlands declares under article 41 of the International Covenant on Civil and Political Rights that it recognizes the competence of the Human Rights Committee referred to in article 28 of the Covenant to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Covenant.

Nederlanden, het Koninkrijk der, 20 december 1983

Withdrawal of the reservation to article 25, sub-paragraph (c). The text of the reservation reads as follows:

“The Kingdom of the Netherlands does not accept this provision in the case of the Netherlands Antilles.”

Nederlanden, het Koninkrijk der, 11 oktober 2010

In reference to the reservation made by the Kingdom of the Netherlands on ratifying the International Covenant on Civil and Political Rights on 11 December 1978, which reads, as far as relevant:

“[...]”

Article 12, paragraph 1

The Kingdom of the Netherlands regards the Netherlands and the Netherlands Antilles as separate territories of a State for the purpose of this provision.

Article 12, paragraphs 2 and 4

The Kingdom of the Netherlands regards the Netherlands and the Netherlands Antilles as separate countries for the purpose of these provisions. [...]”

The Kingdom of the Netherlands, consisting, as per 10 October 2010, of the European part of the Netherlands, the Caribbean part of the Netherlands (the islands of Bonaire, Sint Eustatius and Saba), Aruba, Curaçao and Sint Maarten, regards these parts as separate territories for the purpose of Article 12, paragraph 1, and as separate countries for the purpose of Article 12, paragraphs 2 and 4, of the Covenant.

Nieuw-Zeeland, 28 december 1978

The Government of New Zealand reserves the right not to apply article 10 (2) (b) or article 10 (3) in circumstances where the shortage of suitable facilities makes the mixing of juveniles and adults unavoidable; and further reserves the right not to apply article 10 (3) where the interests of other juveniles in an establishment require the removal of a particular juvenile offender or where mixing is considered to be of benefit to the persons concerned.

The Government of New Zealand reserves the right not to apply article 14 (6) to the extent that it is not satisfied by the existing system for *ex gratia* payments to persons who suffer as a result of a miscarriage of justice.

The Government of New Zealand having legislated in the areas of the advocacy of national and racial hatred and the exciting of hostility or ill will against any group of persons, and having regard to the right of freedom of speech, reserves the right not to introduce further legislation with regard to article 20.

The Government of New Zealand reserves the right not to apply article 22 as it relates to trade unions to the extent that existing legislative measures, enacted to ensure effective trade union representation and encourage orderly industrial relations, may not be fully compatible with that article.

The Government of New Zealand declares under article 41 of the International Covenant on Civil and Political Rights that it recognises the competence of the Human Rights Committee to receive and consider communications from another State Party which has similarly declared under article 41 its recognition of the Committee’s competence in respect to itself except where the declaration by such a state party was made less than twelve months prior to the submission by it of a complaint relating to New Zealand.

Noord-Korea, 12 november 1997 (depositaire mededeling)

On 25 August 1997, the Secretary-General received from the Government of the Democratic People’s Republic of Korea a notification of withdrawal from the Covenant, dated 23 August 1997.

As the Covenant does not contain a withdrawal provision, the Secretariat of the United Nations forwarded on 23 September 1997 an aide-mémoire

to the Government of the Democratic People's Republic of Korea explaining the legal position arising from the above notification. As elaborated in this aide-mémoire, the Secretary-General is of the opinion that a withdrawal from the Covenant would not appear possible unless all States Parties to the Covenant agree with such a withdrawal.

Noorwegen, 31 augustus 1972

Norway recognizes the competence of the Human Rights Committee referred to in article 28 of the Covenant, to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Covenant.

Noorwegen, 13 september 1972

Subject to reservations to article 10, paragraph 2 (b) and paragraph 3 "with regard to the obligation to keep accused juvenile persons and juvenile offenders segregated from adults" and to article 14, paragraphs 5 and 7 and to article 20, paragraph 1.

Noorwegen, 12 december 1979

Withdrawal of the reservation to article 6, paragraph 4 made upon ratification.

Noorwegen, 19 september 1995

[The Government of Norway declares that] the entry into force of an amendment to the Criminal Procedure Act, which introduces the right to have a conviction reviewed by a higher court in all cases, the reservation made by the Kingdom of Norway with respect to article 14, paragraph 5 of the Covenant shall continue to apply only in the following exceptional circumstances:

1. *"Riksrett" (Court of Impeachment)*

According to article 86 of the Norwegian Constitution, a special court shall be convened in criminal cases against members of the Government, the Storting (Parliament) or the Supreme Court, with no right of appeal.

2. *Conviction by an appellate court*

In cases where the defendant has been acquitted in the first instance, but convicted by an appellate court, the conviction may not be appealed on grounds of error in the assessment of evidence in relation to the issue of guilt. If the appellate court convicting the defendant is the Supreme Court, the conviction may not be appealed whatsoever.

Oekraïne, 20 maart 1968

The Ukrainian Soviet Socialist Republic declares that the provisions of paragraph 1 of article 26 of the International Covenant on Economic, Social and Cultural Rights and of paragraph 1 of article 48 of the International Covenant on Civil and Political Rights, under which a number of States cannot become parties to these Covenants, are of a discriminatory nature and considers that the Covenants, in accordance with the

principle of sovereign equality of States, should be open for participation by all States concerned without any discrimination or limitation.

Oekraïne, 28 juli 1992

In accordance with article 41 of the International Covenant on Civil and Political Rights, Ukraine recognizes the competence of the Human Rights Committee to receive and consider communications to the effect that any State Party claims that another State Party is not fulfilling its obligations under the Covenant.

Oostenrijk, 10 september 1978

1. Article 12, paragraph 4, of the Covenant will be applied provided that it will not affect the Act of April 3, 1919, State Law Gazette No. 209, concerning the Expulsion and the Transfer of Property of the House of Habsburg-Lorraine as amended by the Act of October 30, 1919, State Law Gazette No. 501, the Federal Constitutional Act of July 30, 1925, Federal Law Gazette No. 292, and the Federal Constitutional Act of January 26, 1928, Federal Law Gazette No. 30, read in conjunction with the Federal Constitutional Act of July 4, 1963, Federal Law Gazette No. 172.

2. Article 9 and article 14 of the Covenant will be applied provided that legal regulations governing the proceedings and measures of deprivation of liberty as provided for in the Administrative Procedure Acts and in the Financial Penal Act remain permissible within the framework of the judicial review by the Federal Administrative Court or the Federal Constitutional Court as provided by the Austrian Federal Constitution.

3. Article 10, paragraph 3, of the Covenant will be applied provided that legal regulations allowing for juvenile prisoners to be detained together with adults under 25 years of age who give no reason for concern as to their possible detrimental influence on the juvenile prisoner remain permissible.

4. Article 14 of the Covenant will be applied provided that the principles governing the publicity of trials as set forth in article 90 of the Federal Constitutional Law as amended in 1929 are in no way prejudiced and that

(a) paragraph 3, sub-paragraph (d) is not in conflict with legal regulations which stipulate that an accused person who disturbs the orderly conduct of the trial or whose presence would impede the questioning of another accused person, of a witness or of an expert can be excluded from participation in the trial;

(b) paragraph 5 is not in conflict with legal regulations which stipulate that after an acquittal or a lighter sentence passed by a court of the first instance, a higher tribunal may pronounce conviction or a heavier sentence for the same offence, while they exclude the convicted person's right to have such conviction or heavier sentence reviewed by a still higher tribunal;

(c) paragraph 7 is not in conflict with legal regulations which allow proceedings that led up to a person's final conviction or acquittal to be reopened.

5. Articles 19, 21 and 22 in connection with article 2 (1) of the Covenant will be applied provided that they are not in conflict with legal restrictions as provided for in article 16 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.

6. Article 26 is understood to mean that it does not exclude different treatment of Austrian nationals and aliens, as is also permissible under article 1, paragraph 2, of the International Convention on the Elimination of All Forms of Racial Discrimination.

[The Government of the Republic of Austria] declares under article 41 of the Covenant on Civil and Political Rights that Austria recognizes the competence of the Human Rights Committee to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Covenant on Civil and Political Rights.

Pakistan, 17 april 2008

The Government of the Islamic Republic of Pakistan reserves its right to attach appropriate reservations, make declarations and state its understanding in respect of various provisions of the Covenant at the time of ratification.

Pakistan, 23 juni 2010

Article 3, 6, 7, 18 and 19

'The Islamic Republic of Pakistan declares that the provisions of Articles 3, 6, 7, 18 and 19 shall be so applied to the extent that they are not repugnant to the Provisions of the Constitution of Pakistan and the Sharia laws'.

Article 12

'The Islamic Republic of Pakistan declares that the provisions of Articles 12 shall be so applied as to be in conformity with the Provisions of the Constitution of Pakistan'.

Article 13

"With respect to Article 13, the Government of the Islamic Republic of Pakistan reserves its right to apply its law relating to foreigners".

Article 25

'The Islamic Republic of Pakistan declares that the provisions of Articles 25 shall be so applied to the extent that they are not repugnant to the Provisions of the Constitution of Pakistan'.

Article 40

"The Government of the Islamic Republic of Pakistan hereby declares that it does not recognize the competence of the Committee provided for in Article 40 of the Covenant".

Bezwaar door Australië, 28 juni 2011

The Government of Australia has examined the reservation made by The Islamic Republic of Pakistan to the International Covenant on Civil and Political Rights and now hereby objects to the same for and on behalf of Australia:

The Government of Australia considers that the reservations by the Islamic Republic of Pakistan are incompatible with the object and purpose of the International Covenant on Civil and Political Rights (Covenant).

The Government of Australia recalls 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 is not 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.

Furthermore, the Government of Australia considers that The Islamic Republic of Pakistan, through its reservations, is purporting to make the application of the Covenant subject to the provisions of general domestic law in force in The Islamic Republic of Pakistan. As a result, it is unclear to what extent The Islamic Republic of Pakistan considers itself bound by the obligations of the Covenant and therefore raises concerns as to the commitment of The Islamic Republic of Pakistan to the object and purpose of the Covenant.

The Government of Australia considers that the reservations to the Covenant are subject to the general principle of treaty interpretation, pursuant to Article 27 of the Vienna Convention of the Law of Treaties, according to which a party may not invoke the provisions of its internal law as justification for its failure to perform a treaty.

Further, the Government of Australia recalls that according to article 4 (2) of the Covenant, no derogation of article 18 is permitted.

For the above reasons, the Government of Australia objects to the aforesaid reservations made by The Islamic Republic of Pakistan to the Covenant and expresses the hope that the Islamic Republic of Pakistan will withdraw its reservations.

This objection shall not preclude the entry into force of the Covenant between Australia and The Islamic Republic of Pakistan.

Bezwaar door België, 28 juni 2011

Belgium has carefully examined the reservations made by Pakistan upon accession on 23 June 2010 to the International Covenant on Civil and Political Rights.

The vagueness and general nature of the reservations made by Pakistan with respect to Articles 3, 6, 7, 12, 13, 18, 19 and 25 of the International Covenant on Civil and Political Rights may contribute to undermining the bases of international human rights treaties.

The reservations make the implementation of the Covenant's provisions contingent upon their compatibility with the Islamic Sharia and/or legislation in force in Pakistan. This creates uncertainty as to which of its obligations under the Covenant Pakistan intends to observe and raises doubts as to Pakistan's respect for the object and purpose of the Covenant.

As to the reservation made with respect to Article 40, Belgium emphasizes that the object and purpose of the Covenant are not only to confer rights upon individuals, thereby imposing corresponding obligations on States, but also to establish an effective mechanism for monitoring obligations under the Covenant.

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.

Belgium also notes that the reservations concern a fundamental provision of the Covenant.

Consequently, Belgium considers the reservations to be incompatible with the object and purpose of the Covenant.

Belgium notes that 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)).

Furthermore, under Article 27 of the Vienna Convention on the Law of Treaties, a party may not invoke the provisions of its internal law as justification for its failure to perform a treaty.

Consequently, Belgium objects to the reservations formulated by Pakistan with respect to Articles 3, 6, 7, 12, 13, 18, 19, 25 and 40 of the International Covenant on Civil and Political Rights.

This objection shall not preclude the entry into force of the Covenant between the Kingdom of Belgium and Pakistan.

Bezwaar door Canada, 27 juni 2011

The Government of Canada has carefully examined the reservations made by the Government of the Islamic Republic of Pakistan upon ratification of the International Covenant on Civil and Political Rights, which declares that:

'the provisions of Articles 3, 6, 7, 18 and 19 shall be so applied to the extent that they are not repugnant to the Provisions of the Constitution of Pakistan and the Sharia laws';

'the provisions of Article 12 shall be so applied as to be in conformity with the Provisions of the Constitution of Pakistan';

‘With respect to Article 13, the Government of the Islamic Republic of Pakistan reserves its right to apply its law relating to foreigners’;

‘the provisions of Article 25 shall be so applied to the extent that they are not repugnant to the Provisions of the Constitution of Pakistan’; and

the Government of the Islamic Republic of Pakistan ‘does not recognize the competence of the Committee provided for in Article 40 of the Covenant’.

The Government of Canada considers that reservations which consist of a general reference to national law or to the prescriptions of the Islamic Sharia constitute, in reality, reservations with a general, indeterminate scope. This makes it impossible to identify the modifications to obligations under the Covenant that each reservation purports to introduce and impossible for the other States Parties to the Covenant to know the extent to which Pakistan has accepted the obligations of the Covenant, an uncertainty which is unacceptable, especially in the context of treaties related to human rights.

The Government of Canada further considers that the competence of the Committee to receive, study and comment on the reports submitted by States Parties as provided for in Article 40 of the Covenant is essential to the implementation of the Covenant. Through its function and its activity, the Human Rights Committee plays an essential role in monitoring the fulfillment of the obligations of the States Parties to the Convention. Participation in the reporting mechanism outlined in Article 40, which is aimed at encouraging more effective implementation by States Parties of their treaty obligations, is standard practice of States Parties to the Covenant.

The Government of Canada notes that the reservations made by the Government of the Islamic Republic of Pakistan, addressing many of the most essential provisions of the Covenant, and aiming to exclude the obligations under those provisions, are incompatible with the object and purpose of the Covenant, and thus inadmissible under Article 19(c) of the Vienna Convention on the Law of Treaties.

In addition, Articles 6, 7 and 18 of the Covenant are among the provisions from which no derogation is allowed, according to Article 4 of the Covenant. The Government of Canada therefore objects to the aforesaid reservations made by the Government of the Islamic Republic of Pakistan.

This objection does not preclude the entry into force in its entirety of the Covenant between Canada and the Islamic Republic of Pakistan.

Bezwaar door Denemarken, 28 juni 2011

The Government of the Kingdom of Denmark has examined the reservations made by the Government of the Islamic Republic of Pakistan upon ratification of the International Covenant on Civil and Political Rights.

The Government of Denmark considers that the reservations made by the Islamic Republic of Pakistan to articles 3, 6, 7, 12, 13, 18, 19 and 25 of the Covenant, which make the applications of these essential obligations under the Covenant subject to Sharia and/or constitutional and/or national law in force in the Islamic Republic of Pakistan, raise doubts as to what extent the Islamic Republic of Pakistan considers itself bound by the obligations of the treaty and concern as to the commitment of the Islamic Republic of Pakistan to the object and purpose of the Covenant.

The Government of the Kingdom on Denmark has also examined the reservation of the Islamic Republic of Pakistan with respect to Article 40 of the Covenant.

The Government of Denmark considers, that the supervisory machinery established under the Covenant, including the system of periodic reporting to the human rights Committee is an essential part of the treaty.

Accordingly a reservation to the effect that a State Party does not recognize the competence of the Human Rights Committee to review and comment State reports must be considered contrary to the object and purpose of the Covenant.

The Government of Denmark wishes to recall that, according to customary international law, as codified in the Vienna Convention on the Law of Treaties, reservations incompatible with the object and purpose of the Covenant shall not be permitted.

Consequently, the Government of Denmark considers the said reservations as incompatible with the object and purpose of the Covenant and accordingly inadmissible and without effect under international law.

The Government of Denmark therefore objects to the aforementioned reservations made by the Government of the Islamic Republic of Pakistan. This shall not preclude the entry into force of the Covenant in its entirety between the Islamic Republic of Pakistan and Denmark.

The Government of Denmark recommends the Government of the Islamic Republic of Pakistan to reconsider its reservations to the International Covenant on Civil and Political Rights.

Bezwaar door Duitsland, 28 juni 2011

The Government of the Federal Republic of Germany has carefully examined the reservations made by the Islamic Republic of

Pakistan on 23 June 2010 to Articles 3, 6, 7, 12, 13, 18, 19 and 25 of the International Covenant on Civil and Political Rights.

The Government of the Federal Republic of Germany is of the opinion that these reservations subject the applications of Articles 3, 6, 7, 12, 13, 18, 19 and 25 of the Covenant to a system of domestic norms without specifying the contents thereof, leaving it uncertain to which extent the Islamic Republic of Pakistan accepts to be bound by the obligations under the Covenant and raising serious doubts as to its commitment to fulfil its obligations under the Covenant. These reservations therefore are considered incompatible with the object and purpose of the Covenant and consequently impermissible under Art. 19 c of the Vienna Convention on the Law of Treaties.

By refusing to recognize the competence of the Committee provided for in Article 40 of the Covenant the Republic of Pakistan calls into question the complete reporting mechanism which is a central procedural element of the Covenant system. This specific reservation against Article 40 therefore is considered to be contrary to the object and purpose of the Covenant as well.

The Government of the Federal Republic of Germany therefore objects to the above-mentioned reservations as being incompatible with the object and purpose of the Covenant.

This objection shall not preclude the entry into force of the Covenant between the Federal Republic of Germany and the Islamic Republic of Pakistan.

Bezwaar door Estland, 21 juni 2011

The Government of the Republic of Estonia has carefully examined the reservations made on 23 June 2010 by Pakistan to Articles 3, 6, 7, 12, 13, 18, 19, 25 and 40 of the Covenant.

Regarding Articles 3, 6, 7, 12, 13, 18, 19, 25, the Government of the Republic of Estonia considers these reservations to be incompatible with the object and purpose of the Covenant as with these reservations the application of the International Covenant on Civil and Political Rights is made subject to the provisions of constitutional law. The Government of Estonia is of the view that the reservation which consists of a general reference to a national law without specifying its content does not clearly indicate to what extent the Islamic Republic of Pakistan considers itself bound by the obligations contained in the relevant Articles of the Covenant and therefore raises concerns as to the commitment of the Islamic Republic of Pakistan to the object and purpose of the Covenant.

Furthermore, the reservation made by the Islamic Republic of Pakistan to Article 40 of the Covenant is in the view of the Government of the Republic of Estonia contrary to the aim of the Covenant as this Article sets out the commitments of States

towards the Human Rights Committee. The reporting mechanism is one of the core elements of the implementation of the Covenant. Therefore, the Government of the Republic of Estonia objects to the aforesaid reservations made by the Islamic Republic of Pakistan to the International Covenant on Civil and Political Rights. Nevertheless, this objection shall not preclude the entry into force of the International Covenant on Civil and Political Rights as between the Republic of Estonia and the Islamic Republic of Pakistan.

Bezwaar door Finland, 28 juni 2011

The Government of Finland welcomes the ratification of the International Covenant on Civil and Political Rights by the Islamic Republic of Pakistan. The Government of Finland has carefully examined the content of the reservations relating to Articles 3, 6, 7, 12, 13, 18, 19, 25 and 40 of the Convention made by the Islamic Republic of Pakistan upon ratification.

The Government of Finland notes that the Islamic Republic of Pakistan reserves the right to apply the provisions of Article 3, 6, 7, 18 and 19 to the extent that they are not repugnant to the provisions of the Constitution of Pakistan and the Sharia laws, the provisions of Article 12 so as to be in conformity with the provisions of the Constitution of Pakistan, and the provisions of Article 25 to the extent that they are not repugnant to the provisions of the Constitution of Pakistan, and that, as regards the provisions of Article 13, the Islamic Republic of Pakistan reserves the right to apply its law relating to foreigners.

The Government of Finland notes that a reservation which consists of a general reference to national law without specifying its content does not clearly define to other Parties to the Covenant the extent to which the reserving States commits itself to the Covenant and creates serious doubts as to the commitment of the reserving State to fulfill its obligations under the Covenant. 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.

Furthermore, the Government of Finland notes that the Islamic Republic of Pakistan declares that it does not recognize the competence of the Human Rights Committee provided for in Article 40 of the Covenant. The reporting mechanism established under Article 40 is an essential feature of the system of human rights protection created by the Covenant and an integral undertaking of States Parties to the Covenant.

All of the above reservations seek to restrict essential obligations of the Islamic Republic of Pakistan under the Covenant and raise serious doubts as to the commitment of the Islamic Republic of

Pakistan to the object and purpose of the Covenant. The Government of Finland wishes to recall that, according to Article 19 (c) of the Vienna Convention on the Law of Treaties and customary international law, a reservation contrary to 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 and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.

The Government of Finland therefore objects to the reservations made by the Islamic Republic of Pakistan in respect of Articles 3, 6, 7, 12, 13, 18, 19, 25 and 40 of the Covenant. This objection shall not preclude the entry into force of the Covenant between the Islamic Republic of Pakistan and Finland.

The Convention will thus become operative between the two states without the Islamic Republic of Pakistan benefiting from its reservations.

Bezwaar door Frankrijk, 24 juni 2011

The Government of the French Republic has considered the reservations made by the Islamic Republic of Pakistan upon its ratification of the International Covenant on Civil and Political Rights on 23 June 2010.

Concerning the reservations to articles 3, 6, 7, 12, 18, 19 and 25, France considers that in seeking to exclude the application of provisions of the Covenant, insofar as they might be contrary to or inconsistent with the Constitution of Pakistan and/or Sharia law, the Islamic Republic of Pakistan has made reservations of a general and indeterminate nature. Indeed, these reservations are vague since they do not specify which provisions of domestic law are affected. Thus, they do not allow other States Parties to appreciate the extent of the commitment of the Islamic Republic of Pakistan, including the compatibility of the provisions with the object and purpose of the Covenant.

With regard to article 40, France believes that in seeking to exclude the competence of the Human Rights Committee to consider periodic reports, the Islamic Republic of Pakistan is depriving this key body under the Covenant of its main function. As such, the Government of the French Republic considers this reservation to be contrary to the object and purpose of the Covenant. The Government of the French Republic therefore objects to the reservations made by the Islamic Republic of Pakistan. However, this objection shall not preclude the entry into force of the Covenant between France and Pakistan.

Bezwaar door Griekenland, 22 juni 2011

The Government of the Hellenic Republic considers that the Articles 3, 6 and 7 of the Covenant are of fundamental importance and that the reservations formulated by the Islamic Republic of Pakistan to those Articles, containing a general reference to the Provisions of the Constitution of Pakistan and the Sharia laws without specifying the extent of the derogation therefrom, are incompatible with the object and purpose of the Covenant.

Furthermore, the Government of the Hellenic Republic considers that the reservation formulated with respect to Article 40 of the Covenant, is incompatible with the object and purpose of the Covenant, which seeks, inter alia, to establish an effective monitoring mechanism for the obligations undertaken by the States Parties.

For this reason the Government of the Hellenic Republic objects to the abovementioned reservations formulated by the Islamic Republic of Pakistan.

This objection shall not preclude the entry into force of the Covenant between Greece and the Islamic Republic of Pakistan.

Bezwaar door Hongarije, 28 juni 2011

With regard to the reservations made by the Islamic Republic of Pakistan:

The Government of the Republic of Hungary has examined the reservations made by the Islamic Republic of Pakistan upon accession to the International Covenant on Civil and Political Rights, adopted on 16 December 1966, in respect of Articles 3, 6, 7, 12, 13, 18, 19, 25 and 40 thereof.

The Government of the Republic of Hungary is of the opinion that the reservations made by the Islamic Republic of Pakistan with regard to Articles 3, 6, 7, 12, 13, 18, and 19 are in contradiction with the general principle of treaty interpretation according to which a State party to a treaty may not invoke the provisions of its internal law as justification for failure to perform according to the obligations set out by the treaty. Furthermore, the reservations consist of a general reference to the provisions of the Constitution, the Sharia laws, and/or Pakistani internal law relating to foreigners without specifying their content and as such do not clearly define to other Parties to the Covenant the extent to which the reserving State commits itself to the Covenant.

The Government of the Republic of Hungary recalls that 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. 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 Republic of Hungary therefore objects to the aforesaid reservations made by the Islamic Republic of Pakistan with regard to Articles 3, 6, 7, 12, 13, 18 and 19 of the Covenant. This objection shall not preclude the entry into force of the Covenant between the Republic of Hungary and the Islamic Republic of Pakistan.

Bezwaar door Ierland, 23 juni 2011

The Government of Ireland has examined the reservations made on 23 June 2010 by the Islamic Republic of Pakistan upon ratification of the International Covenant on Civil and Political Rights.

The Government of Ireland notes that the Islamic Republic of Pakistan subjects Articles 3, 6, 7, 12, 13, 18, 19 and 25 to the Constitution of Pakistan, its domestic law and/or Sharia law. The Government of Ireland is of the view that a reservation which consists of a general reference to the Constitution or the domestic law of the reserving State or to religious law, may cast doubt on the commitment of the reserving state to fulfill its obligations under the Covenant. The Government of Ireland is of the view that such general reservations are incompatible with the object and purpose of the Covenant and may undermine the basis of international treaty law.

The Government of Ireland further notes the reservation by Pakistan to Article 40 of the International Covenant on Civil and Political Rights. The reporting mechanism is an integral undertaking of all States Parties to the Covenant.

The Government of Ireland therefore objects to the reservations made by the Islamic Republic of Pakistan to Articles 3, 6, 7, 12, 13, 18, 19, 25 and 40 of the International Covenant on Civil and Political Rights.

This objection shall not preclude the entry into force of the Covenant between Ireland and the Islamic Republic of Pakistan.

Bezwaar door Italië, 28 juni 2011

The Government of Italy has examined the reservations made on 23 June 2010 by the Islamic Republic of Pakistan upon ratification of the International Covenant on Civil and Political Rights.

The Government of Italy has noted that the reservations to Articles 3, 6, 7, 18, 19, 12, 13 and 25 makes the constitutive provisions of the International Covenant subject to the national law of the Islamic Republic of Pakistan (the Constitution, its domestic law and/or Sharia laws).

In the view of the Government of Italy a reservation should clearly define for the other States Parties to the Covenant the

extent to which the reserving State has accepted the obligations of the Covenant. A reservation which consists of a general reference to national provisions without specifying its implications makes it unclear to what extent the Islamic Republic of Pakistan considers itself bound by the obligations of the Covenant and therefore raises concerns as to the commitment of the Islamic Republic of Pakistan to the object and purpose of the Covenant. The Government of Italy is of the view that such general reservations are incompatible with the object and purpose of the Covenant and may undermine the basis of international treaty law. The Government of Italy recalls that customary international law as codified by the Vienna Convention on the Law of Treaties, and in particular Article 19 (c), sets out that reservations that are incompatible with the object and purpose of a treaty are not permissible.

The Government of Italy, therefore, objects to the aforesaid reservations made by the Islamic Republic of Pakistan to Articles 3, 6, 7, 18, 19, 12, 13 and 25 of the International Covenant on Civil and Political Rights.

This objection shall not preclude the entry into force of the Covenant between Italy and the Islamic Republic of Pakistan.

Bezwaar door Letland, 29 juni 2011

The Government of the Republic of Latvia has carefully examined the reservations expressed by the Islamic Republic of Pakistan to Articles 3, 6, 7, 12, 13, 18, 19, 25 and 40 of the International Covenant upon ratification.

Articles 3, 6 and 7 of the International Covenant shall be viewed as constituting the object and purpose thereof. Therefore, pursuant to Article 19 (c) of the Vienna Convention on the Law of Treaties, reservations, whereby the mentioned provisions of the International Covenant are subjected to the regime of the Constitution of the Islamic Republic of Pakistan or of Sharia law may not be viewed as being compatible with the object and purpose of the International Covenant.

Moreover, the Government of the Republic of Latvia notes that the reservations expressed by the Islamic Republic of Pakistan to Articles 3, 6 and 7 of the International Covenant are ambiguous, thereby lacking clarity, whether and to what extent the fundamental rights guaranteed by Articles 3, 6 and 7 of the International Covenant will be ensured.

Furthermore, the Government of the Republic of Latvia considers that Article 40 of the International Covenant contains essential provisions to oversee the implementation of the rights guaranteed by the International Covenant. Therefore, the reservation declaring that the State Party does not consider itself bound with

the provisions of this Article cannot be in line with the object and purpose of the International Covenant.

Consequently, the Government of the Republic of Latvia objects to the reservations made by the Islamic Republic of Pakistan regarding Articles 3, 6, 7 and 40 of the International Covenant.

At the same time, this objection shall not preclude the entry into force of the International Covenant between the Republic of Latvia and the Islamic Republic of Pakistan. Thus, the International Covenant will become operative without the Islamic Republic of Pakistan benefiting from its reservation.

Bezwaar door **Nederlanden, het Koninkrijk der**, 30 juni 2011
[Communication]

The Government of the Kingdom of the Netherlands has examined the reservations made by the Islamic Republic of Pakistan upon ratification of the International Covenant on Civil and Political Rights.

The Government of the Kingdom of the Netherlands considers that with its reservations to the Articles 3, 6, 7, 12, 13, 18, 19 and 25 of the Covenant, the Islamic Republic of Pakistan has made the application of essential obligations under the Covenant concerning, amongst others, equality between men and women, the right to life, including restrictions on the imposition of the death penalty, the prohibition of torture, freedom of thought, conscience and religion, freedom of expression, the right to liberty of movement and freedom in the choice of residence, restrictions on the expulsion of aliens lawfully in the territory of a State Party, the right to take part in public affairs, the right to vote and to be elected and the right to have access to public service on terms of equality subject to the Sharia laws and/or the constitutional and/or national laws in force in Pakistan.

This makes it unclear to what extent the Islamic Republic of Pakistan considers itself bound by the obligations of the treaty and raises concerns as to the commitment of the Islamic Republic of Pakistan to the object and purpose of the Covenant.

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 Covenant and would recall that, according to customary international law, as codified in the Vienna Convention on the Law of Treaties, reservations incompatible with the object and purpose of a treaty shall not be permitted.

The Government of the Kingdom of the Netherlands has also examined the reservation of the Islamic Republic of Pakistan with respect to Article 40 of the Covenant.

The Government of the Netherlands considers that the supervisory machinery established under the Covenant, including the

system of periodic reporting to the Human Rights Committee established pursuant to Article 40 forms an essential part of the treaty. Accordingly, a reservation such as the reservation of the Islamic Republic of Pakistan, in which a State Party declares not to recognize the competence of the Human Rights Committee to review and comment State periodic reports must be considered contrary to the object and purpose of the Covenant and shall therefore not be permitted.

The Government of the Kingdom of the Netherlands therefore objects to the reservations of the Islamic Republic of Pakistan to the aforesaid Articles of the Covenant.

This objection does not constitute an obstacle to the entry into force of the Covenant between the Kingdom of the Netherlands and the Islamic Republic of Pakistan.

Bezwaar door Noorwegen, 29 juni 2011

The Government of Norway has examined the reservations made by the Islamic Republic of Pakistan upon ratification of the International Covenant on Civil and Political Rights. The Government of Norway considers that the reservations with regard to articles 3, 6, 7, 12, 13, 18, 19, 25 and 40 of the Covenant are so extensive as to be contrary to its object and purpose.

The Government of Norway therefore objects to the reservations made by the Islamic Republic of Pakistan. This objection does not preclude the entry into force of the Covenant between the Kingdom of Norway and the Islamic Republic of Pakistan. The Covenant thus becomes operative between the Kingdom of Norway and the Islamic Republic of Pakistan without the Islamic Republic of Pakistan benefiting from the aforesaid reservations.

Bezwaar door Oostenrijk, 24 juni 2011

The Government of Austria has examined the reservations made by the Islamic Republic of Pakistan upon ratification of the International Covenant on Civil and Political Rights (ICCPR).

The Government of Austria considers that in aiming to exclude the application of those provisions of the Covenant which are deemed incompatible with the Constitution of Pakistan, Sharia laws and certain national laws, the Islamic Republic of Pakistan has made reservations of general and indeterminate scope. These reservations do not clearly define for the other States Parties to the Covenant the extent to which the reserving State has accepted the obligations of the Covenant.

The Government of Austria therefore considers the reservations of the Islamic Republic of Pakistan to Articles 3, 6, 7, 18 and 19; further to Articles 12, 13 and 25 incompatible with the object and purpose of the Covenant and objects to them.

Austria further considers that the Committee provided for in Article 40 of the Covenant has a pivotal role in the implementation of the Covenant. The exclusion of the competence of the Committee is not provided for in the Covenant and in Austria's views incompatible with the object and purpose of the Covenant. Austria therefore objects to this reservation.

These objections shall not preclude the entry into force of the Covenant between Austria and the Islamic Republic of Pakistan.

Bezwaar door Polen, 20 juni 2011

The Government of the Republic of Poland has examined the reservations made by the Islamic Republic of Pakistan upon accession to the International Covenant on Civil and Political Rights, opened for signature at New York on 19 December 1966, with regard to Articles 3, 6, 7, 12, 13, 18, 19, 25 and 40 of the Covenant.

In the view of the Government of the Republic of Poland, if put into practice, the reservations made by the Islamic Republic of Pakistan, especially when taking into account their unspecified extent and the vast area of rights they affect, will considerably limit the ability to benefit from the rights guaranteed by the Covenant.

Consequently, the Government of the Republic of Poland considers these reservations as incompatible with the object and purpose of the Covenant, which is to guarantee equal rights to everyone without any discrimination. In consequence, according to Article 19 (c) of the Vienna Convention on the Law of Treaties, which is a treaty and customary norm, these reservations shall not be permitted.

In order to justify its will to exclude the legal consequences of certain provisions of the Covenant, the Islamic Republic of Pakistan 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. On these grounds, the reservations made by the Islamic Republic of Pakistan with regard to Articles 3, 6, 7, 12, 13, 18, 19 and 25 of the Covenant shall not be permitted.

The Islamic Republic of Pakistan refers in its reservations to the Sharia laws and to its domestic legislation as possibly affecting the application of the Covenant. Nonetheless it does not specify the exact content of these laws and legislation. As a result, it is impossible to clearly define the extent to which the reserving

State has accepted the obligations of the Covenant. Thus, the reservations made by the Islamic Republic of Pakistan with regard to Articles 3, 6, 7, 12, 13, 18, 19 and 25 of the Covenant shall not be permitted.

Furthermore, the Government of the Republic of Poland considers that reservations aimed at limitation or exclusion of the application of treaty norms stipulating non-derogable rights are in opposition with the purpose of this treaty. On these grounds, the reservations made with regard to Articles 6 and 7 of the Covenant are impermissible.

The Government of the Republic of Poland objects also to the reservation made by the Islamic Republic of Pakistan with regard to Article 40 of the Covenant considering it as impermissible as it undermines the basis of the United Nations mechanism of monitoring of the respect of human rights.

The Government of the Republic of Poland considers the reporting obligations of States Parties to the Covenant to be of utmost importance for the effectiveness of the UN system of the protection of human rights and as such - not of optional nature.

Therefore, the Government of the Republic of Poland objects to the reservations made by the Islamic Republic of Pakistan upon accession to the International Covenant on Civil and Political Rights opened for signature at New York on 19 December 1966, with regard to Articles 3, 6, 7, 12, 13, 18, 19, 25 and 40 of the Covenant.

This objection does not preclude the entry into force of the Covenant between the Republic of Poland and the Islamic Republic of Pakistan.

Bezwaar door Portugal, 28 juni 2011

The Government of the Portuguese Republic has examined the reservations made by the Islamic Republic of Pakistan upon ratification of the International Covenant on Civil and Political Rights, New York, 16 December 1966.

The Government of the Portuguese Republic considers that the reservations made by the Islamic Republic of Pakistan to Articles 3, 6, 7, 12, 13, 18, 19 and 25 are reservations that seek to subject the application of the Covenant to its Constitution, its domestic law or/and Sharia Law, limiting the scope of the [Covenant] on an unilateral basis and contributing to undermining the basis of International Law.

The Government of the Portuguese Republic considers that reservations by which a State limits its responsibilities under the International Covenant on Civil and Political Rights by invoking its Constitution, the domestic law or/and the Sharia Law raise serious doubts as to the commitment of the reserving State to the object and purpose of the Covenant, as the reservations are likely

to deprive the provisions of the Covenant of their effect and are contrary to the object and purpose thereof.

It is in the common interest of all the 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 the Portuguese Republic furthermore notes that the Islamic Republic of Pakistan does not recognize the competence of the Committee provided for in Article 40 of the Covenant.

The Government of the Portuguese Republic is of the view that the reporting mechanism is a procedural requirement of the Covenant, an integral undertaking of its States Parties and that the reservation is likely to undermine the international human rights treaty body system. Thus, the reservation to article 40 is contrary to the object and purpose of the Covenant.

The Government of the Portuguese Republic recalls that, according to customary international law as codified in the Vienna Convention on the Law of Treaties, a reservation incompatible with the object and purpose of the Convention shall not be permitted. The Government of the Portuguese Republic therefore objects to the aforesaid reservations made by the Government of the Islamic Republic of Pakistan to Articles 3, 6, 7, 12, 13, 18, 19, 25 and 40 of the International Covenant on Civil and Political Rights, New York, 16 December 1966.

However, these objections shall not preclude the entry into force of the Covenant between the Portuguese Republic and the Islamic Republic of Pakistan.

Bezwaar door Slowakije, 23 juni 2011

The Slovak Republic has examined the reservations made by the Islamic Republic of Pakistan upon its ratification of the International Covenant on Civil and Political Rights of 16 December 1966, according to which:

“[The] Islamic Republic of Pakistan declares that the provisions of Articles 3, 6, 7, 18 and 19 shall be so applied to the extent that they are not repugnant to the Provisions of the Constitution of Pakistan and the Sharia laws.

The Islamic Republic of Pakistan declares that the provisions of Article 12 shall be so applied as to be in conformity with the Provisions of the Constitution of Pakistan.

With respect to Article 13, the Government of the Islamic Republic of Pakistan reserves its right to apply its law relating to foreigners.

The Islamic Republic of Pakistan declares that the provisions of Article 25 shall be so applied to the extent that they are not

repugnant to the Provisions of the Constitution of Pakistan. The Government of the Islamic Republic of Pakistan hereby declares that it does not recognize the competence of the Committee provided for in Article 40 of the Covenant”.

The Slovak Republic considers that with the reservations to Articles 3, 6, 7, 18 and 19 the application of the International Covenant on Civil and Political Rights is made subject to the Islamic Sharia law. Moreover it considers the reservations with respect to Articles 12, 13, 25 and 40 of the Covenant as incompatible with the object and purpose of the Covenant. This makes it unclear to what extent the Islamic Republic of Pakistan considers itself bound by the obligations of the Covenant as to its commitment to the object and purpose of the Covenant.

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

The Slovak Republic recalls that the customary international law, as codified by the Vienna Convention on the Law of Treaties, and in particular Article 19 (c), sets out that the reservation that is incompatible with the object and purpose of a treaty is not permitted. The Slovak Republic therefore objects to the reservations made by the Islamic Republic of Pakistan to Articles 3, 6, 7, 12, 13, 18, 19, 25 and 40 of the Covenant.

This objection shall not preclude the entry into force of the Covenant between the Slovak Republic and the Islamic Republic of Pakistan, without the Islamic Republic of Pakistan benefiting from its reservations.

Bezwaar door Spanje, 9 juni 2011

The Government of the Kingdom of Spain has examined the reservations made by Pakistan upon ratification of the International Covenant on Civil and Political Rights, concerning articles 3, 6, 7, 12, 13, 18, 19, 25 and 40 of the said Covenant.

The Government of the Kingdom of Spain considers that the above-mentioned reservations are incompatible with the object and purpose of the Covenant, since they are intended to exempt Pakistan from its commitment to respect and guarantee certain rights essential for the fulfillment of the object and purpose of the Covenant, such as equality between men and women; the right to life and restrictions on the imposition of the death penalty; the prohibition of torture and other cruel, inhuman or degrading treatment; freedom of thought, conscience and religion; freedom of expression; liberty of movement and freedom in choice of residence; restrictions on the expulsion of aliens lawfully in the territory of a State Party; and the right to take part in public

affairs, the right to vote and to be elected and the right to have access to public service on terms of equality, or to limit the said commitment in an undefined manner.

The Government of the Kingdom of Spain also considers that the reservation whereby Pakistan declares that it does not recognize the competence of the Human Rights Committee provided for in article 40 of the Covenant is incompatible with the object and purpose of the Covenant.

Furthermore, the Government of the Kingdom of Spain considers that the above-mentioned reservations made by Pakistan, subordinating the application of certain articles of the Covenant either to their conformity with sharia law or to their conformity with the Constitution of Pakistan, or to both, to which general reference is made without specifying their content, in no way excludes the legal effects of the obligations arising from the relevant provisions of the Covenant.

Accordingly, the Government of the Kingdom of Spain objects to the reservations made by Pakistan to articles 3, 6, 7, 12, 13, 18, 19, 25 and 40 of the International Covenant on Civil and Political Rights.

This objection does not prevent the entry into force of the Covenant between the Kingdom of Spain and Pakistan.

Bezwaar door Tsjechië, 20 juni 2011

The Czech Republic believes that the reservations of Pakistan made to Articles 3, 6, 7, 12, 13, 18, 19, 25 and 40 of the Covenant, if put into practice, would result in weakening of the relevant human rights, which is contrary to the object and purpose of the Covenant. Furthermore, Pakistan 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 to Articles 3, 6, 7, 18 and 19 that refer to the notions such as “Sharia law” and “Provisions of the Constitution of Pakistan”; the reservations to Articles 12 and 25 that refer to the notions such as “law relating to foreigners” without specifying its contents, do not clearly define for the other States Parties to the Covenant the extent to which the reserving State has accepted the obligations under the Covenant.

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

Bezwaar door Uruguay, 23 juni 2011

The Government of the Eastern Republic of Uruguay considers that the oversight procedures established by international human rights agreements are an essential tool for monitoring and determining the degree to which States Parties are complying with their obligations and an integral part of the system for the international protection of human rights. Rejecting the competence of the Committee to request, receive and consider reports from the State Party thwarts the aim of promoting universal and effective respect for human rights and fundamental freedoms, as set forth in the preamble of the Covenant.

Accordingly, the Government of the Eastern Republic of Uruguay objects to the reservation made by the Islamic Republic of Pakistan with respect to article 40 of the International Covenant on Civil and Political Rights.

This objection does not prevent the entry into force of the Covenant between the Eastern Republic of Uruguay and the Islamic Republic of Pakistan.

Bezwaar door Verenigd Koninkrijk, 28 juni 2011

The Government of the United Kingdom of Great Britain and Northern Ireland has examined the reservations made by the Government of Pakistan to the [International] Covenant [on Civil and Political Rights] on 23 June 2010, which read:

1. [The] Islamic Republic of Pakistan declares that the provisions of Articles 3, 6, 7, 18 and 19 shall be so applied to the extent that they are not repugnant to the Provisions of the Constitution of Pakistan and the Sharia laws.
2. The Islamic Republic of Pakistan declares that the provisions of Articles 12 shall be so applied as to be in conformity with the Provisions of the Constitution of Pakistan.
3. With respect to Article 13, the Government of the Islamic Republic of Pakistan reserves its right to apply its law relating to foreigners.
4. [The] Islamic Republic of Pakistan declares that the provisions of Articles 25 shall be so applied to the extent that they are not repugnant to the Provisions of the Constitution of Pakistan.

5. The Government of the Islamic Republic of Pakistan hereby declares that it does not recognize the competence of the Committee provided for in Article 40 of the Covenant.

In the view of the United Kingdom a reservation should clearly define for the other States Parties to the Covenant the extent to which the reserving State has accepted the obligations of the Covenant. Reservations which consist of a general reference to a constitutional provision, law or system of laws without specifying their contents do not do so.

In addition, the United Kingdom considers that the reporting mechanism enshrined in Article 40 is an essential procedural requirement of the Covenant, and an integral undertaking of States Parties to the Covenant.

The Government of the United Kingdom therefore objects to the reservations made by the Government of Pakistan.

The United Kingdom will re-consider its position in light of any modifications or withdrawals of the reservations made by the Government of Pakistan to the Covenant.

Bezwaar door Verenigde Staten van Amerika, 29 juni 2011

The Government of the United States of America objects to Pakistan's reservations to the ICCPR. Pakistan has reserved to Articles 3, 6, 7, 12, 13, 18, 19, and 25 of the Covenant, which address the equal right of men and women to the full enjoyment of civil and political rights, the right to life, protections from torture and other cruel inhuman or degrading treatment or punishment, freedom of movement, expulsion of aliens, the freedoms of thought, conscious and religion, the freedom of expression, and the right to take part in political affairs. Pakistan has also reserved to Article 40, which provides for a process whereby States Parties submit periodic reports on their implementation of the Covenant when so requested by the Human Rights Committee (HRC). These reservations raise serious concerns because they both obscure the extent to which Pakistan intends to modify its substantive obligations under the Covenant and also foreclose the ability of other Parties to evaluate Pakistan's implementation through periodic reporting. As a result, the United States considers the totality of Pakistan's reservations to be incompatible with the object and purpose of the Covenant. This objection does not constitute an obstacle to the entry into force of the Covenant between the United States and Pakistan, and the aforementioned articles shall apply between our two states, except to the extent of Pakistan's reservations.

Bezwaar door Zweden, 22 juni 2011

The Government of Sweden is of the view that these reservations raise serious doubt as to the commitment of the Islamic Repub-

lic of Pakistan to the object and purpose of the Covenant, as the reservations are likely to deprive the provisions of the Covenant of their effect and are contrary to the object and purpose thereof. The Government of Sweden furthermore notes that the Islamic Republic of Pakistan does not recognize the competence of the Committee provided for in article 40 of the Covenant. The Government of Sweden is of the view that the reporting mechanism is a procedural requirement of the Covenant, an integral undertaking of its States Parties and that the reservation is likely to undermine the international human rights treaty body system. Thus, the reservation to article 40 is contrary to the object and purpose of the Covenant.

According to international customary law, as codified in the Vienna Convention on the Law of Treaties, reservations incompatible with the object and purpose of a treaty 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 Islamic Republic of Pakistan to the International Covenant on Civil and Political Rights and considers the reservations null and void.

This objection shall not preclude the entry into force of the Covenant between Pakistan and Sweden. The Covenant enters into force in its entirety between Pakistan and Sweden, without Pakistan benefiting from these reservations.

Bezwaar door Zwitserland, 28 juni 2011

Concerning the International Covenant on Civil and Political Rights of 16 December 1966:

The Swiss Federal Council has examined the reservations made by the Islamic Republic of Pakistan upon its accession to the International Covenant on Civil and Political Rights of 16 December 1966, with regard to articles 3, 6, 7, 18 and 19 of the Covenant.

The reservations to the articles, which refer to the provisions of domestic law and Islamic Sharia law, do not specify their scope and raise doubts about the ability of the Islamic Republic of Pakistan to honour its obligations as a party to the Covenant. Furthermore, the Swiss Federal Council emphasizes that the third sentence of article 6, paragraph 1; article 7; and article 18, paragraph 2, constitute *jus cogens* and therefore enjoy absolute protection. A general reservation to article 40, a key provision of the Covenant, raises serious doubts as to the compatibility of such a reservation with the object and purpose of the Covenant.

Article 19 of the Vienna Convention on the Law of Treaties of 23 May 1969 prohibits any reservation that is incompatible with the object and purpose of a treaty.

Consequently, the Swiss Federal Council objects to the aforesaid reservations made by the Islamic Republic of Pakistan to the International Covenant on Civil and Political Rights of 16 December 1966.

This objection does not preclude the entry into force of the Covenant between Switzerland and the Islamic Republic of Pakistan.

Pakistan, 20 september 2011

The reservations to articles 3 and 25 which were made by Pakistan upon ratification read as follows:

The Islamic Republic of Pakistan declares that the provisions of Articles 3, [...] shall be so applied to the extent that they are not repugnant to the Provisions of the Constitution of Pakistan and the Sharia laws.

The Islamic Republic of Pakistan declares that the provisions of Article 25 shall be so applied to the extent that they are not repugnant to the Provisions of the Constitution of Pakistan.

Pakistan modifies the reservations relating to Articles 3 and 25 as follows:

Article 3

The Government of the Islamic Republic of Pakistan declares that the provisions of Article 3 of the International Covenant on Civil and Political Rights shall be so applied as to be in conformity with Personal Law of the citizens and Qanoon-e-Shahadat.

Article 25

The Government of the Islamic Republic of Pakistan states that the application of Article 25 of the International Covenant on Civil and Political Rights shall be subject to the principle laid down in Article 41 (2) and Article 91 (3) of the Constitution of Pakistan.

Withdrawal of reservations to Articles 6, 7, 12, 13, 18, 19 and 40 made upon ratification.

Peru, 9 april 1984

Peru recognizes the competence of the Human Rights Committee to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Covenant on Civil and Political Rights, in accordance with article 41 of the said Covenant.

Polen, 25 september 1990

The Republic of Poland recognizes, in accordance with article 41, paragraph 1, of the International Covenant on Civil and Political Rights, the competence of the Human Rights Committee to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Covenant.

Roemenië, 27 juni 1968

The Government of the Socialist Republic of Romania declares that the provisions of article 48, paragraph 1, of the International Covenant on Civil and Political Rights are at variance with the principle that all States have the right to become parties to multilateral treaties governing matters of general interest.

Roemenië, 9 december 1974

(a) The State Council of the Socialist Republic of Romania considers that the provisions of article 48 (1) of the International Covenant on Civil and Political Rights are inconsistent with the principle that multilateral international treaties whose purposes concern the international community as a whole must be open to universal participation.

(b) The State Council of the Socialist Republic of Romania considers that the maintenance in a state of dependence of certain territories referred to in article 1 (3) of the International Covenant on Civil and Political Rights is inconsistent with the Charter of the United Nations and the instruments adopted by the Organization on the granting of independence to colonial countries and peoples, including the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, adopted unanimously by the United Nations General Assembly in its resolution 2625 (XXV) of 1970, which solemnly proclaims the duty of States to promote the realization of the principle of equal rights and self-determination of peoples in order to bring a speedy end to colonialism.

Russische Federatie, 18 maart 1968

The Union of Soviet Socialist Republics declares that the provisions of paragraph 1 of article 26 of the International Covenant on Economic, Social and Cultural Rights and of paragraph 1 of article 48 of the International Covenant on Civil and Political Rights, under which a number of States cannot become parties to these Covenants, are of a discriminatory nature and considers that the Covenants, in accordance with the principle of sovereign equality of States, should be open for participation by all States concerned without any discrimination or limitation.

Russische Federatie, 1 oktober 1991

The Union of Soviet Socialist Republics declares that, pursuant to article 41 of the International Covenant on Civil and Political Rights, it recognizes the competence of the Human Rights Committee to receive and consider communications submitted by another State Party, in respect of situations and events occurring after the adoption of the present declaration, provided that the State Party in question has, not less than 12 months prior to the submission by it of such a communication, recognized in regard to itself the competence of the Committee, established

in article 41, in so far as obligations have been assumed under the Covenant by the USSR and by the State concerned.

Samoa, 15 februari 2008

The term 'forced or compulsory labour' as appears in article 8 paragraph 3 of the International Covenant of Civil and Political Rights of 1966 shall be interpreted as being compatible with that expressed in article 8 (2) (a) (b) (c) (d) of the Constitution of the Independent State of Samoa 1960, which stipulates that the 'term forced or compulsory labour' shall not include, (a) any work required to be done in consequence of a sentence of a Court; or (b) any service of a military character or, in the case of conscientious objectors, service exacted instead of compulsory military service; or (c) any service exacted in case of an emergency or calamity threatening life or well-being of the community; or (d) any work or service which is required by Samoan custom or which forms part of normal civic obligations.

The Government of the Independent State of Samoa considers that article 10 paragraphs 2 and 3, which provides that juvenile offenders shall be segregated from adults and accorded treatment appropriate to their age and legal status refers solely to the legal measures incorporated in the system for the protection of minors, which is addressed by the Young Offenders Act 2007 (Samoa).

Senegal, 5 januari 1981

The Government of Senegal declares, under article 41 of the International Covenant on Civil and Political Rights, that it recognizes the competence of the Human Rights Committee referred to in article 28 of the said Covenant to receive and consider communications submitted by another State Party, provided that such State Party has, not less than twelve months prior to the submission by it of a communication relating to Senegal, made a declaration under article 41 recognizing the competence of the Committee to receive and consider communications relating to itself.

Slovenië, 6 juli 1992

[The] Republic of Slovenia, in accordance with article 41 of the said Covenant, recognizes the competence of the Human Rights Committee to receive and consider communications submitted by another State Party to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Covenant.

Slowakije, 28 mei 1993

[The Czech and Slovak Federal Republic] recognizes the competence of the Human Rights Committee established on the basis of article 28 of the Covenant to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Covenant.

Spanje, 11 maart 1998

The Government of Spain declares that, under the provisions of article 41 of the [Covenant], it recognizes the competence of the Human Rights Committee to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Covenant.

Sri Lanka, 11 juni 1980

The Government of the Democratic Socialist Republic of Sri Lanka declares under article 41 of the International Covenant on Civil and Political Rights that it recognizes the competence of the Human Rights Committee to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Covenant, from another State Party which has similarly declared under article 41 its recognition of the Committee's competence in respect to itself.

Syrië, 21 april 1969

1. The accession of the Syrian Arab Republic to these two Covenants shall in no way signify recognition of Israel or entry into a relationship with it regarding any matter regulated by the said two Covenants.
2. The Syrian Arab Republic considers that paragraph 1 of article 26 of the Covenant on Economic, Social and Cultural Rights and paragraph 1 of article 48 of the Covenant on Civil and Political Rights are incompatible with the purposes and objectives of the said Covenants, inasmuch as they do not allow all States, without distinction or discrimination, the opportunity to become parties to the said Covenants.

Bezwaar door Israël, 9 juli 1969

[The Government of Israel] has noted the political character of the declaration made by the Government of Syria [upon accession to] the above Covenants. In the view of the Government of Israel, these two Covenants are not the proper place for making such political pronouncements. The Government of Israel will, in so far as concerns the substance of the matter, adopt towards the Government of Syria an attitude of complete reciprocity.

Thailand, 29 oktober 1996

The Government of Thailand declares that:

1. The term "self-determination" as appears in article 1, paragraph 1, of the Covenant shall be interpreted as being compatible with that expressed in the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993.
2. With respect to article 6, paragraph 5 of the Covenant, the Thai Penal Code enjoins, or in some cases allows much latitude for, the Court to take into account the offender's youth as a mitigating factor in handing down sentences. Whereas Section 74 of the code does not allow any

kind of punishment levied upon any person below fourteen years of age, Section 75 of the same Code provides that whenever any person over fourteen years but not yet over seventeen years of age commits any act provided by the law to be an offence, the Court shall take into account the sense of responsibility and all other things concerning him in order to come to decision as to whether it is appropriate to pass judgment inflicting punishment on him or not. If the court does not deem it appropriate to pass judgment inflicting punishment, it shall proceed according to Section 74 (viz. to adopt other correction measures short of punishment) or if the court deems it appropriate to pass judgment inflicting punishment, it shall reduce the scale of punishment provided for such offence by one half. Section 76 of the same Code also states that whenever any person over seventeen years but not yet over twenty years of age, commits any act provided by the law to be an offence, the Court may, if it thinks fit, reduce the scale of the punishment provided for such offence by one third or one half. The reduction of the said scale will prevent the Court from passing any sentence of death. As a result, though in theory, sentence of death may be imposed for crimes committed by persons below eighteen years, but not below seventeen years of age, the Court always exercises its discretion under Section 75 to reduce the said scale of punishment, and in practice the death penalty has not been imposed upon any persons below eighteen years of age. Consequently, Thailand considers that in real terms it has already complied with the principles enshrined herein.

3. With respect to article 9, paragraph 3 of the Covenant, Section 87, paragraph 3 of the Criminal Procedure Code of Thailand provides that the arrested person shall not be kept in custody for more than forty-eight hours from the time of his arrival at the office of the administrative or police official, but the time for bringing the arrested person to the Court shall not be included in the said period of forty-eight hours. In case it is necessary for the purpose of conducting the inquiry, or there arises any other necessity, the period of forty-eight hours may be extended as long as such necessity persists, but in no case shall it be longer than seven days.

4. With respect to article 20 of the Covenant, the term "war" appearing in paragraph 1 is understood by Thailand to mean war in contravention of international law.

Bezwaar door **Nederlanden, het Koninkrijk der**, 26 december 1997

With regard to the interpretative declaration concerning article 6 paragraph 5 made by Thailand:

The Government of the Kingdom of the Netherlands considers this declaration as a reservation. The Government of the Kingdom of the Netherlands objects to the aforesaid declaration, since it follows from the text and history of the Covenant that the declaration is incompatible with the text, the object and purpose of

article 6 of the Covenant, which according to article 4 lays down the minimum standard for the protection of the right to life. This objection shall not preclude the entry into force of the Covenant between the Kingdom of the Netherlands and the Kingdom of Thailand.

Trinidad en Tobago, 21 december 1978

- (i) The Government of the Republic of Trinidad and Tobago reserves the right not to apply in full the provision of paragraph 2 of article 4 of the Covenant since section 7 (3) of its Constitution enables Parliament to enact legislation even though it is inconsistent with sections (4) and (5) of the said Constitution;
- (ii) Where at any time there is a lack of suitable prison facilities, the Government of the Republic of Trinidad and Tobago reserves the right not to apply article 10 (2) (b) and 10 (3) so far as those provisions require juveniles who are detained to be accommodated separately from adults;
- (iii) The Government of the Republic of Trinidad and Tobago reserves the right not to apply paragraph 2 of article 12 in view of the statutory provisions requiring persons intending to travel abroad to furnish tax clearance certificates;
- (iv) The Government of the Republic of Trinidad and Tobago reserves the right not to apply paragraph 5 of article 14 in view of the fact that section 43 of its Supreme Court of Judicature Act No. 12 of 1962 does not confer on a person convicted on indictment an unqualified right of appeal and that in particular cases, appeal to the Court of Appeal can only be done with the leave of the Court of Appeal itself or of the Privy Council;
- (v) While the Government of the Republic of Trinidad and Tobago accepts the principle of compensation for wrongful imprisonment, it is not possible at this time to implement such a principle in accordance with paragraph 6 of article 14 of the Covenant;
- (vi) With reference to the last sentence of paragraph 1 of article 15-“If, subsequent to the commission of the offence, provision is made by law for the imposition of a lighter penalty, the offender shall benefit thereby”, the Government of the Republic of Trinidad and Tobago deems this provision to apply exclusively to cases in progress. Consequently, a person who has already been convicted by a final decision shall not benefit from any provision made by law, subsequent to that decision, for the imposition of a lighter penalty.
- (vii) The Government of the Republic of Trinidad and Tobago reserves the right to impose lawful and or reasonable restrictions with respect to the right of assembly under article 21 of the Covenant;
- (viii) The Government of the Republic of Trinidad and Tobago reserves the right not to apply the provision of article 26 of the Covenant in so far as it applies to the holding of property in Trinidad and

Tobago, in view of the fact that licences may be granted to or withheld from aliens under the Aliens Landholding Act of Trinidad and Tobago.

Bezwaar door Duitsland, 21 april 1982

The Government of the Federal Republic of Germany objects to the [reservation (i) by the Government of Trinidad and Tobago]. In the opinion of the Government of the Federal Republic of Germany it follows from the text and the history of the Covenant that the said reservation is incompatible with the object and purpose of the Covenant.

Bezwaar door **Nederlanden, het Koninkrijk der**, 12 juni 1980

In the opinion of the Government of the Kingdom of the Netherlands it follows from the text and the history of the Covenant that [reservation (i) by the Government of Trinidad and Tobago] is incompatible with the object and purpose of the Covenant. The Government of the Kingdom of the Netherlands therefore considers the reservation unacceptable and formally raises an objection to it.

Trinidad en Tobago, 31 januari 1979

The Government of Trinidad and Tobago confirms that paragraph (vi) constituted an interpretative declaration which did not aim to exclude nor modify the legal effect of the provisions of the Covenant.

Tsjechië, 22 februari 1993

[The Czech and Slovak Federal Republic] recognizes the competence of the Human Rights Committee established on the basis of article 28 of the Covenant to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Covenant.

Tsjechoslowakije (<01-01-1993), 12 maart 1991

[The Czech and Slovak Federal Republic] recognizes the competence of the Human Rights Committee established on the basis of article 28 of the Covenant to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Covenant.

Tunesië, 24 juni 1993

The Government of the Republic of Tunisia declares that it recognizes the competence of the Human Rights Committee established under article 28 of the [said Covenant] [...], to receive and consider communications to the effect that a State Party claims that the Republic of Tunisia is not fulfilling its obligations under the Covenant.

The State Party submitting such communications to the Committee must have made a declaration recognizing in regard to itself the competence of the Committee under article 41 of the [said Covenant].

Turkije, 23 september 2003

The Republic of Turkey declares that; it will implement its obligations under the Covenant in accordance to the obligations under the Charter of the United Nations (especially Article 1 and 2 thereof).

The Republic of Turkey declares that it will implement the provisions of this Covenant only to the States with which it has diplomatic relations.

The Republic of Turkey declares that this Convention is ratified exclusively with regard to the national territory where the Constitution and the legal and administrative order of the Republic of Turkey are applied. The Republic of Turkey reserves the right to interpret and apply the provisions of Article 27 of the International Covenant on Civil and Political Rights in accordance with the related provisions and rules of the Constitution of the Republic of Turkey and the Treaty of Lausanne of 24 July 1923 and its Appendixes.

Bezwaar door Cyprus, 26 november 2003

[...] the Government of the Republic of Cyprus has examined the declaration made by the Government of the Republic of Turkey to the International Covenant on Civil and Political Rights (New York, 16 December 1966) on 23 September 2003, in respect of the implementation of the provisions of the Convention only to the States Parties which it recognizes and with which it has diplomatic relations.

In the view of the Government of the Republic of Cyprus, this declaration amounts to a reservation. This reservation creates uncertainty as to the States Parties in respect of which Turkey is undertaking the obligations in the Covenant, and raises doubt as to the commitment of Turkey to the object and purpose of the said Covenant. The Government of the Republic of Cyprus therefore objects to the reservation made by the Government of the Republic of Turkey to the International Covenant on Civil and Political Rights.

This reservation or the objection to it shall not preclude the entry into force of the Covenant between the Republic of Cyprus and the Republic of Turkey.

Bezwaar door Duitsland, 13 oktober 2004

The Government of the Republic of Turkey has declared that it will implement the provisions of the Covenant only to the states with which it has diplomatic relations. Moreover, the Government of the Republic of Turkey has declared that it ratifies the Covenant exclusively with regard to the national territory where the Constitution and the legal and administrative order of the

Republic of Turkey are applied. Furthermore, the Government of the Republic of Turkey has reserved the right to interpret and apply the provisions of Article 27 of the Covenant in accordance with the related provisions and rules of the Constitution of the Republic of Turkey and the Treaty of Lausanne of 24 July 1923 and its Appendixes.

The Government of the Federal Republic of Germany would like to recall that it is in the common interest of all states that treaties to which they have chosen to become parties are respected and applied 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 Federal Republic of Germany is therefore concerned about declarations and reservations such as those made and expressed by the Republic of Turkey with respect to the International Covenant on Civil and Political Rights.

However, the Government of the Federal Republic of Germany believes these declarations do not aim to limit the Covenant's scope in relation to those states with which Turkey has established bonds under the Covenant, and that they do not aim to impose any other restrictions that are not provided for by the Covenant. The Government of the Federal Republic of Germany attaches great importance to the rights guaranteed by Article 27 of the Covenant. The Government of the Federal Republic of Germany understands the reservation expressed by the Government of the Republic of Turkey to mean that the rights guaranteed by Article 27 of the Covenant will also be granted to all minorities not mentioned in the provisions and rules referred to in the reservation.

Bezwaar door Finland, 13 oktober 2004

The Government of Finland has examined the declarations and reservation made by the Republic of Turkey to the International Covenant on Civil and Political Rights. The Government of Finland notes that the Republic of Turkey reserves the right to interpret and apply the provisions of Article 27 of the Covenant in accordance with the related provisions and rules of the Constitution of the Republic of Turkey and the Treaty of Lausanne of 24 July 1923 and its Appendixes.

The Government of Finland emphasises the great importance of the rights of minorities provided for in Article 27 of the International Covenant on Civil and Political Rights. The reference to the Constitution of the Republic of Turkey is of a general nature and does not clearly specify the content of the reservation. The Government of Finland therefore wishes to declare that it assumes that the Government of the Republic of Turkey will ensure the implementation of the rights of minorities recognised in the

Covenant and will do its utmost to bring its national legislation into compliance with the obligations under the Covenant with a view to withdrawing the reservation. This declaration does not preclude the entry into force of the Covenant between the Republic of Turkey and Finland.

Bezwaar door Griekenland, 11 oktober 2004

The Government of Greece has examined the declarations made by the Republic of Turkey upon ratifying the International Covenant on Civil and Political Rights.

The Republic of Turkey declares that it will implement the provisions of the Covenant only to the States with which it has diplomatic relations.

In the view of the Government of Greece, this declaration in fact amounts to a reservation. This reservation is incompatible with the principle that inter-State reciprocity has no place in the context of human rights treaties, which concern the endowment of individuals with rights. It is therefore contrary to the object and purpose of the Covenant.

The Republic of Turkey furthermore declares that the Covenant is ratified exclusively with regard to the national territory where the Constitution and the legal and administrative order of the Republic of Turkey are applied.

In the view of the Government of Greece, this declaration in fact amounts to a reservation. This reservation is contrary to the letter and the spirit of article 2 (i) of the Covenant. Indeed, a State Party must respect and ensure the rights laid down in the Covenant to anyone within the power or effective control of that State Party, even if not situated within the territory of such State Party. Accordingly, this reservation is contrary to the object and purpose of the Covenant.

For these reasons, the Government of Greece objects to the aforesaid reservations made by the Republic of Turkey to the International Covenant on Civil and Political Rights.

This objection shall not preclude the entry into force of the Covenant between the Hellenic Republic and the Republic of Turkey. The Covenant, therefore, enters into force between the two States without the Republic of Turkey benefiting from these reservations.

Bezwaar door Portugal, 13 oktober 2004

The Government of Portugal considers that reservations by which a State limits its responsibilities under the International Covenant on Civil and Political Rights (ICCPR) by invoking certain provisions of national law in general terms 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 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 Portugal therefore objects to the reservation by Turkey to the ICCPR. This objection shall not constitute an obstacle to the entry into force of the Covenant between Portugal and Turkey.

Bezwaar door Zweden, 30 juni 2004

The Government of Sweden has examined the declarations and reservation made by the Republic of Turkey upon ratifying the International Covenant on Civil and Political Rights.

The Republic of Turkey declares that it will implement the provisions of the Covenant only to the State parties with which it has diplomatic relations. This statement in fact amounts, in the view of the Government of Sweden, to a reservation. The reservation of the Republic of Turkey makes it unclear to what extent the Republic of Turkey considers itself bound by the obligations of the Covenant. In absence of further clarification, therefore, the reservation raises doubt as to the commitment of the Republic of Turkey to the object and purpose of the Covenant.

The Republic of Turkey furthermore declares that the Covenant is ratified exclusively with regard to the national territory where the Constitution and the legal and administrative order of the Republic of Turkey are applied. This statement also amounts, in the view of the Government of Sweden, to a reservation. It should be recalled that the duty to respect and ensure the rights recognized in the Covenant is mandatory upon State parties in relation to all individuals under their jurisdiction. A limitation to the national territory is contrary to the obligations of State parties in this regard and therefore incompatible with the object and purpose of the Covenant.

The Government of Sweden notes that the interpretation and application of article 27 of the Covenant is being made subject to a general reservation referring to the Constitution of the Republic of Turkey and the Treaty of Lausanne of 24 July 1923 and its Appendixes. The general reference to the Constitution of the Republic of Turkey, which, in the absence of further clarification, does not clearly specify the extent of the Republic of Turkey's derogation from the provision in question, raises serious doubts as to the commitment of the Republic of Turkey to the object and purpose of the Covenant.

The Government of Sweden furthermore wishes to recall that the rights of persons belonging to minorities in accordance with article 27 of the Covenant are to be respected without discrimina-

tion. As has been laid down by the Human Rights Committee in its General comment 23 on Article 27 of the Covenant, the existence of a minority does not depend upon a decision by the state but requires to be established by objective criteria. The subjugation of the application of article 27 to the rules and provisions of the Constitution of the Republic of Turkey and the Treaty of Lausanne and its Appendixes is, therefore, in the view of the Government of Sweden, incompatible with the object and purpose of the Covenant.

According to established customary law as codified by the Vienna Convention on the Law of Treaties, reservations incompatible with the object and purpose of a treaty 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 Republic of Turkey to the International Covenant on Civil and Political Rights.

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

Venezuela, 10 mei 1978

Article 60, paragraph 5, of the Constitution of the Republic of Venezuela establishes that: "No person shall be convicted in criminal trial unless he has first been personally notified of the charges and heard in the manner prescribed by law. Persons accused of an offence against the *res publica* may be tried *in absentia*, with the guarantees and in the manner prescribed by law". Venezuela is making this reservation because article 14, paragraph 3 (d), of the Covenant makes no provision for persons accused of an offence against the *res publica* to be tried *in absentia*.

Verenigd Koninkrijk, het, 16 september 1968

First, the Government of the United Kingdom declare their understanding that, by virtue of Article 103 of the Charter of the United Nations, in the event of any conflict between their obligations under Article 1 of the Covenant and their obligations under the Charter (in particular, under Articles 1, 2 and 73 thereof) their obligations under the Charter shall prevail.

Secondly, the Government of the United Kingdom declare that:

(a) In relation to Article 14 of the Covenant, they must reserve the right not to apply, or not to apply in full, the guarantee of free legal assistance contained in sub-paragraph (d) of paragraph 3 in so far as the short-

age of legal practitioners and other considerations render the application of this guarantee in British Honduras, Fiji and St. Helena impossible;

(b) In relation to Article 23 of the Covenant, they must reserve the right not to apply the first sentence of paragraph 4 in so far as it concerns any inequality which may arise from the operation of the law of domicile;

(c) In relation to Article 25 of the Covenant, they must reserve the right not to apply:

(i) Sub-paragraph (b) in so far as it may require the establishment of an elected legislature in Hong Kong and the introduction of equal suffrage, as between different electoral rolls, for elections in Fiji; and

(ii) Sub-paragraph (c) in so far as it applies to jury service in the Isle of Man and to the employment of married women in the Civil Service of Northern Ireland, Fiji, and Hong Kong.

Lastly, the Government of the United Kingdom declare that the provisions of the Covenant shall not apply to Southern Rhodesia unless and until they inform the Secretary-General of the United Nations that they are in a position to ensure that the obligations imposed by the Covenant in respect of that territory can be fully implemented.

Verenigd Koninkrijk, het, 20 mei 1976

Firstly the Government of the United Kingdom maintain their declaration in respect of article 1 made at the time of signature of the Covenant. The Government of the United Kingdom reserve the right to apply to members of and persons serving with the armed forces of the Crown and to persons lawfully detained in penal establishments of whatever character such laws and procedures as they may from time to time deem to be necessary for the preservation of service and custodial discipline and their acceptance of the provisions of the Covenant is subject to such restrictions as may for these purposes from time to time be authorised by law.

Where at any time there is a lack of suitable prison facilities or where the mixing of adults and juveniles is deemed to be mutually beneficial, the Government of the United Kingdom reserve the right not to apply article 10 (2) (b) and 10 (3), so far as those provisions require juveniles who are detained to be accommodated separately from adults, and not to apply article 10 (2) (a) in Gibraltar, Montserrat and the Turks and Caicos Islands in so far as it requires segregation of accused and convicted persons.

The Government of the United Kingdom reserve the right not to apply article 11 in Jersey.

The Government of the United Kingdom reserve the right to interpret the provisions of article 12 (1) relating to the territory of a State as applying separately to each of the territories comprising the United Kingdom and its dependencies.

The Government of the United Kingdom reserve the right to continue to apply such immigration legislation governing entry into, stay in and

departure from the United Kingdom as they may deem necessary from time to time and, accordingly, their acceptance of article 12 (4) and of the other provisions of the Covenant is subject to the provisions of any such legislation as regards persons not at the time having the right under the law of the United Kingdom to enter and remain in the United Kingdom. The United Kingdom also reserves a similar right in regard to each of its dependent territories.

The Government of the United Kingdom reserve the right not to apply article 13 in Hong Kong in so far as it confers a right of review of a decision to deport an alien and a right to be represented for this purpose before the competent authority.

The Government of the United Kingdom reserve the right not to apply or not to apply in full the guarantee of free legal assistance in subparagraph (d) of paragraph 3 of article 14 in so far as the shortage of legal practitioners renders the application of this guarantee impossible in the British Virgin Islands, the Cayman Islands, the Falkland Islands, the Gilbert Islands, the Pitcairn Islands Group, St. Helena and Dependencies and Tuvalu.

The Government of the United Kingdom interpret article 20 consistently with the rights conferred by articles 19 and 21 of the Covenant and having legislated in matters of practical concern in the interests of public order (*ordre public*) reserve the right not to introduce any further legislation. The United Kingdom also reserve a similar right in regard to each of its dependent territories.

The Government of the United Kingdom reserve the right to postpone the application of paragraph 3 of article 23 in regard to a small number of customary marriages in the Solomon Islands.

The Government of the United Kingdom reserve the right to enact such nationality legislation as they may deem necessary from time to time to reserve the acquisition and possession of citizenship under such legislation to those having sufficient connection with the United Kingdom or any of its dependent territories and accordingly their acceptance of article 24 (3) and of the other provisions of the Covenant is subject to the provisions of any such legislation.

The Government of the United Kingdom reserve the right not to apply sub-paragraph (b) of article 25 in so far as it may require the establishment of an elected Executive or Legislative Council in Hong Kong [...]. Lastly, the Government of the United Kingdom declare that the provisions of the Covenant shall not apply to Southern Rhodesia unless and until they inform the Secretary-General of the United Nations that they are in a position to ensure that the obligations imposed by the Covenant in respect of that territory can be fully implemented.

The Government of the United Kingdom declare under article 41 of this Covenant that it recognizes the competence of the Human Rights Committee to receive and consider communications submitted by another State Party, provided that such other State Party has, not less than twelve months prior to the submission by it of a communication relating to the

United Kingdom made a declaration under article 41 recognizing the competence of the Committee to receive and consider communications relating to itself.

Bezwaar door Argentinië, 3 oktober 1983

[The Government of Argentina makes a] formal objection to the [declaration] of territorial extension issued by the United Kingdom with regard to the Malvinas Islands (and dependencies), which that country is illegally occupying and refers to as the "Falkland Islands".

The Argentine Republic rejects and considers null and void the [said declaration] of territorial extension.

Verenigd Koninkrijk, het, 28 februari 1985

The Government of the United Kingdom of Great Britain and Northern Ireland have no doubt as to their right, by notification to the Depository under the relevant provisions of the above-mentioned Convention, to extend the application of the Convention in question to the Falkland Islands or to the Falkland Islands Dependencies, as the case may be.

For this reason alone, the Government of the United Kingdom are unable to regard the Argentine [communication] under reference as having any legal effect.

Bezwaar door Argentinië, 8 augustus 1986

The Argentine Republic rejects the extension, notified to the Secretary-General of the United Nations on 20 May 1976 by the United Kingdom of Great Britain and Northern Ireland, of the application of the International Covenant on Economic, Social and Cultural Rights, adopted by the General Assembly of the United Nations on 16 December 1966, to the Malvinas, South Georgia and South Sandwich Islands, and reaffirms its sovereign rights to those archipelagos, which form an integral part of its national territory.

The General Assembly of the United Nations had adopted resolutions 2065 (XX), 3160 (XXVIII), 31/49, 37/9, 38/12, 39/6 and 40/21 in which it recognizes the existence of a sovereignty dispute regarding the question of the Falkland Islands (Malvinas) and urges the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland to pursue negotiations in order to find as soon as possible a peaceful and definitive solution to the dispute, through the good offices of the Secretary-General of the United Nations, who shall inform the General Assembly of the progress made.

Verenigd Koninkrijk, het, 13 januari 1988

The Government of the United Kingdom of Great Britain and Northern Ireland rejects the statements made by the Argentine Republic, regard-

ing the Falkland Islands and South Georgia and the South Sandwich Islands, when ratifying [the said Covenants and acceding to the said Protocol].

The Government of the United Kingdom of Great Britain and Northern Ireland has no doubt as to British sovereignty over the Falkland Islands and South Georgia and the South Sandwich Islands and its consequent right to extend treaties to those territories.

Bezwaar door Argentinië, 5 oktober 2000

[The Argentine Republic] wishes to refer to the report submitted by the United Kingdom of Great Britain and Northern Ireland to the Human Rights Committee concerning its overseas territories (CCPR/C/UKOT/99/5).

In that connection, the Argentine Republic wishes to recall that by its note of 3 October 1983 it rejected the extension of the application of the International Covenant on Civil and Political Rights to the Malvinas Islands, which was effected by the United Kingdom of Great Britain and Northern Ireland on 20 May 1976. The Government of Argentina rejects the designation of the Malvinas Islands as Overseas Dependent Territories of the United Kingdom or any other similar designation.

Consequently, the Argentine Republic does not recognize the section concerning the Malvinas Islands contained in the report which the United Kingdom has submitted to the Human Rights Committee (CCPR/C/UKOT/99/5) or any other document or instrument having a similar tenor that may derive from this alleged territorial extension.

The United Nations General Assembly has adopted resolutions 2065 (XX), 3160 (XXVIII), 31/49, 37/9, 38/12, 39/6, 40/21, 41/40, 42/19 and 43/25, in which it recognizes that a dispute exists concerning sovereignty over the Malvinas Islands and urges the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland to continue negotiations with a view to resolving the dispute peacefully and definitively as soon as possible, assisted by the good offices of the Secretary-General of the United Nations, who is to report to the General Assembly on the progress made.

The Argentine Republic reaffirms its rights of sovereignty over the Malvinas Islands, South Georgia and the South Sandwich Islands and the surrounding maritime spaces, which are an integral part of its national territory.

Verenigd Koninkrijk, het, 2 februari 1993

The Government of the United Kingdom of Great Britain and Northern Ireland notifies the Secretary-General of its decision to withdraw the reservation to sub-paragraph c) of Article 25 made upon ratification.

Verenigd Koninkrijk, het, 20 december 2000

The Government of the United Kingdom of Great Britain and Northern Ireland rejects as unfounded the claims made by the Argentine Republic in its communication to the depositary of 5 [October] 2000. The Government of the United Kingdom recalls that in its declaration received by the depositary on 13 January 1988 it rejected the objection by the Argentine Republic to the extension by the United Kingdom of the International Covenant on Civil and Political Rights to the Falkland Islands and to South Georgia and the South Sandwich Islands. The Government of the United Kingdom has no doubt about the sovereignty of the United Kingdom over the Falkland Islands and over South Georgia and the South Sandwich Islands and its consequential rights to apply the Convention with respect to those territories.

Verenigde Staten van Amerika, de, 8 juni 1992

Reservations:

(1) That article 20 does not authorize or require legislation or other action by the United States that would restrict the right of free speech and association protected by the Constitution and laws of the United States.

(2) That the United States reserves the right, subject to its Constitutional constraints, to impose capital punishment on any person (other than a pregnant woman) duly convicted under existing or future laws permitting the imposition of capital punishment, including such punishment for crimes committed by persons below eighteen years of age.

(3) That the United States considers itself bound by article 7 to the extent that "cruel, inhuman or degrading treatment or punishment" means the cruel and unusual treatment or punishment prohibited by the Fifth, Eighth, and/or Fourteenth Amendments to the Constitution of the United States.

(4) That because U.S. law generally applies to an offender the penalty in force at the time the offence was committed, the United States does not adhere to the third clause of paragraph 1 of article 15.

(5) That the policy and practice of the United States are generally in compliance with and supportive of the Covenant's provisions regarding treatment of juveniles in the criminal justice system. Nevertheless, the United States reserves the right, in exceptional circumstances, to treat juveniles as adults, notwithstanding paragraphs 2 (b) and 3 of article 10 and paragraph 4 of article 14. The United States further reserves to these provisions with respect to States with respect to individuals who volunteer for military service prior to age 18.

Understandings:

(1) That the Constitution and laws of the United States guarantee all persons equal protection of the law and provide extensive protections against discrimination. The United States understands distinctions based upon race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or any other status – as those

terms are used in article 2, paragraph 1 and article 26 – to be permitted when such distinctions are, at minimum, rationally related to a legitimate governmental objective. The United States further understands the prohibition in paragraph 1 of article 4 upon discrimination, in time of public emergency, based “solely” on the status of race, colour, sex, language, religion or social origin, not to bar distinctions that may have a disproportionate effect upon persons of a particular status.

(2) That the United States understands the right to compensation referred to in articles 9 (5) and 14 (6) to require the provision of effective and enforceable mechanisms by which a victim of an unlawful arrest or detention or a miscarriage of justice may seek and, where justified, obtain compensation from either the responsible individual or the appropriate governmental entity. Entitlement to compensation may be subject to the reasonable requirements of domestic law.

(3) That the United States understands the reference to “exceptional circumstances” in paragraph 2 (a) of article 10 to permit the imprisonment of an accused person with convicted persons where appropriate in light of an individual’s overall dangerousness, and to permit accused persons to waive their right to segregation from convicted persons. The United States further understands that paragraph 3 of article 10 does not diminish the goals of punishment, deterrence, and incapacitation as additional legitimate purposes for a penitentiary system.

(4) That the United States understands that subparagraphs 3 (b) and (d) of article 14 do not require the provision of a criminal defendant’s counsel of choice when the defendant is provided with court-appointed counsel on grounds of indigence, when the defendant is financially able to retain alternative counsel, or when imprisonment is not imposed. The United States further understands that paragraph 3 (e) does not prohibit a requirement that the defendant make a showing that any witness whose attendance he seeks to compel is necessary for his defense. The United States understands the prohibition upon double jeopardy in paragraph 7 to apply only when the judgment of acquittal has been rendered by a court of the same governmental unit, whether the Federal Government or a constituent unit, as is seeking a new trial for the same cause.

(5) That the United States understands that this Covenant shall be implemented by the Federal Government to the extent that it exercises legislative and judicial jurisdiction over the matters covered therein, and otherwise by the state and local governments; to the extent that state and local governments exercise jurisdiction over such matters, the Federal Government shall take measures appropriate to the Federal system to the end that the competent authorities of the state or local governments may take appropriate measures for the fulfillment of the Covenant.”

Declarations:

(1) That the United States declares that the provisions of articles 1 through 27 of the Covenant are not self-executing.

(2) That it is the view of the United States that States Party to the Covenant should wherever possible refrain from imposing any restrictions or

limitations on the exercise of the rights recognized and protected by the Covenant, even when such restrictions and limitations are permissible under the terms of the Covenant. For the United States, article 5, paragraph 2, which provides that fundamental human rights existing in any State Party may not be diminished on the pretext that the Covenant recognizes them to a lesser extent, has particular relevance to article 19, paragraph 3 which would permit certain restrictions on the freedom of expression. The United States declares that it will continue to adhere to the requirements and constraints of its Constitution in respect to all such restrictions and limitations.

(3) That the United States declares that the right referred to in article 47 may be exercised only in accordance with international law. The United States declares that it accepts the competence of the Human Rights Committee to receive and consider communications under article 41 in which a State Party claims that another State Party is not fulfilling its obligations under the Covenant.

Bezwaar door België, 5 oktober 1993

The Government of Belgium wishes to raise an objection to the reservation made by the United States of America regarding article 6, paragraph 5, of the Covenant, which prohibits the imposition of the sentence of death for crimes committed by persons below 18 years of age.

The Government of Belgium considers the reservation to be incompatible with the provisions and intent of article 6 of the Covenant which, as is made clear by article 4, paragraph 2, of the Covenant, establishes minimum measures to protect the right to life.

The expression of this objection does not constitute an obstacle to the entry into force of the Covenant between Belgium and the United States of America.

Bezwaar door Denemarken, 1 oktober 1993

Having examined the contents of the reservations made by the United States of America, Denmark would like to recall article 4, para 2 of the Covenant according to which no derogation from a number of fundamental articles, *inter alia* 6 and 7, may be made by a State Party even in time of public emergency which threatens the life of the nation.

In the opinion of Denmark, reservation (2) of the United States with respect to capital punishment for crimes committed by persons below eighteen years of age as well as reservation (3) with respect to article 7 constitute general derogations from articles 6 and 7, while according to article 4, para 2 of the Covenant such derogations are not permitted.

Therefore, and taking into account that articles 6 and 7 are protecting two of the most basic rights contained in the Covenant,

the Government of Denmark regards the said reservations incompatible with the object and purpose of the Covenant, and consequently Denmark objects to the reservations. These objections do not constitute an obstacle to the entry into force of the Covenant between Denmark and the United States.

Bezwaar door Duitsland, 29 september 1993

The Government of the Federal Republic of Germany objects to the United States' reservation referring to article 6, paragraph 5 of the Covenant, which prohibits capital punishment for crimes committed by persons below eighteen years of age. The reservation referring to this provision is incompatible with the text as well as the object and purpose of article 6, which, as made clear by paragraph 2 of article 4, lays down the minimum standard for the protection of the right to life.

The Government of the Federal Republic of Germany interprets the United States' "reservation" with regard to article 7 of the Covenant as a reference to article 2 of the Covenant, thus not in any way affecting the obligations of the United States of America as a state party to the Covenant.

Bezwaar door Finland, 28 september 1993

[...] It is recalled that under international treaty law, the name assigned to a statement whereby the legal effect of certain provisions of a treaty is excluded or modified, does not determine its status as a reservation to the treaty. Understanding (1) pertaining to articles 2, 4 and 26 of the Covenant is therefore considered to constitute in substance a reservation to the Covenant, directed at some of its most essential provisions, namely those concerning the prohibition of discrimination. In the view of the Government of Finland, a reservation of this kind is contrary to the object and purpose of the Covenant, as specified in article 19(c) of the Vienna Convention on the Law of Treaties.

As regards reservation (2) concerning article 6 of the Covenant, it is recalled that according to article 4(2), no restrictions of articles 6 and 7 of the Covenant are allowed for. In the view of the Government of Finland, the right to life is of fundamental importance in the Covenant and the said reservation therefore is incompatible with the object and purpose of the Covenant.

As regards reservation (3), it is in the view of the Government of Finland 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.

For the above reasons the Government of Finland objects to reservations made by the United States to articles 2, 4 and 26 [*cf.* Understanding (1)], to article 6 [*cf.* Reservation (2)] and to article 7 [*cf.* Reservation (3)]. However, the Government of Finland

does not consider that this objection constitutes an obstacle to the entry into force of the Covenant between Finland and the United States of America.

Bezwaar door Frankrijk, 4 oktober 1993

At the time of the ratification of [the said Covenant], the United States of America expressed a reservation relating to article 6, paragraph 5, of the Covenant, which prohibits the imposition of the death penalty for crimes committed by persons below 18 years of age.

France considers that this United States reservation is not valid, inasmuch as it is incompatible with the object and purpose of the Convention.

Such objection does not constitute an obstacle to the entry into force of the Covenant between France and the United States.

Bezwaar door Italië, 5 oktober 1993

The Government of Italy, [...], objects to the reservation to art. 6 paragraph 5 which the United States of America included in its instrument of ratification.

In the opinion of Italy reservations to the provisions contained in art. 6 are not permitted, as specified in art.4, para 2, of the Covenant.

Therefore this reservation is null and void since it is incompatible with the object and the purpose of art. 6 of the Covenant.

Furthermore in the interpretation of the Government of Italy, the reservation to art. 7 of the Covenant does not affect obligations assumed by States that are parties to the Covenant on the basis of article 2 of the same Covenant.

These objections do not constitute an obstacle to the entry into force of the Covenant between Italy and the United States.

Bezwaar door **Nederlanden, het Koninkrijk der**, 28 september 1993

With regard to the reservations to articles 6 and 7 made by the United States of America:

The Government of the Kingdom of the Netherlands objects to the reservations with respect to capital punishment for crimes committed by persons below eighteen years of age, since it follows from the text and history of the Covenant that the said reservation is incompatible with the text, the object and purpose of article 6 of the Covenant, which according to article 4 lays down the minimum standard for the protection of the right to life.

The Government of the Kingdom of the Netherlands objects to the reservation with respect to article 7 of the Covenant, since it follows from the text and the interpretation of this article that the

said reservation is incompatible with the object and purpose of the Covenant.

In the opinion of the Government of the Kingdom of the Netherlands this reservation has the same effect as a general derogation from this article, while according to article 4 of the Covenant, no derogations, not even in times of public emergency, are permitted.

It is the understanding of the Government of the Kingdom of the Netherlands that the understandings and declarations of the United States do not exclude or modify the legal effect of provisions of the Covenant in their application to the United States, and do not in any way limit the competence of the Human Rights Committee to interpret these provisions in their application to the United States.

Subject to the proviso of article 21, paragraph 3 of the Vienna Convention of the Law of Treaties, these objections do not constitute an obstacle to the entry into force of the Covenant between the Kingdom of the Netherlands and the United States.

Bezwaar door Noorwegen, 4 oktober 1993

With regard to reservations to articles 6 and 7 made by the United States of America:

1. In the view of the Government of Norway, the reservation (2) concerning capital punishment for crimes committed by persons below eighteen years of age is according to the text and history of the Covenant, incompatible with the object and purpose of article 6 of the Covenant. According to article 4 (2), no derogations from article 6 may be made, not even in times of public emergency. For these reasons the Government of Norway objects to this reservation.

2. In the view of the Government of Norway, the reservation (3) concerning article 7 of the Covenant is according to the text and interpretation of this article incompatible with the object and purpose of the Covenant. According to article 4 (2), article 7 is a non-derogable provision, even in times of public emergency. For these reasons, the Government of Norway objects to this reservation.

The Government of Norway does not consider this objection to constitute an obstacle to the entry into force of the Covenant between Norway and the United States of America.

Bezwaar door Portugal, 5 oktober 1993

The Government of Portugal considers that the reservation made by the United States of America referring to article 6, paragraph 5 of the Covenant which prohibits capital punishment for crimes committed by persons below eighteen years of age is in compatible with article 6 which, as made clear by paragraph 2 of article

4, lays down the minimum standard for the protection of the right to life.

The Government of Portugal also considers that the reservation with regard to article 7 in which a State limits its responsibilities under the Covenant by invoking general principles of National Law may create doubts on the commitments of the Reserving State to the object and purpose of the Covenant and, moreover, contribute to undermining the basis of International Law.

The Government of Portugal therefore objects to the reservations made by the United States of America. These objections shall not constitute an obstacle to the entry into force of the Covenant between Portugal and the United States of America.

Bezwaar door Spanje, 5 oktober 1993

[...] After careful consideration of the reservations made by the United States of America, Spain wishes to point out that pursuant to article 4, paragraph 2, of the Covenant, a State Party may not derogate from several basic articles, among them articles 6 and 7, including in time of public emergency which threatens the life of the nation.

The Government of Spain takes the view that reservation (2) of the United States having regard to capital punishment for crimes committed by individuals under 18 years of age, in addition to reservation (3) having regard to article 7, constitute general derogations from articles 6 and 7, whereas, according to article 4, paragraph 2, of the Covenant, such derogations are not to be permitted.

Therefore, and bearing in mind that articles 6 and 7 protect two of the most fundamental rights embodied in the Covenant, the Government of Spain considers that these reservations are incompatible with the object and purpose of the Covenant and, consequently, objects to them.

This position does not constitute an obstacle to the entry into force of the Covenant between the Kingdom of Spain and the United States of America.

Bezwaar door Zweden, 18 juni 1993

[...] In this context the Government recalls that under international treaty law, the name assigned to a statement whereby the legal effect of certain provisions of a treaty is excluded or modified, does not determine its status as a reservation to the treaty. Thus, the Government considers that some of the understandings made by the United States in substance constitute reservations to the Covenant.

A reservation by which a State modifies or excludes the application of the most fundamental provisions of the Covenant, or limits its responsibilities under that treaty by invoking general prin-

ciples of national law, may cast doubts upon the commitment of the reserving State to the object and purpose of the Covenant. The reservations made by the United States of America include both reservations to essential and non-derogable provisions, and general references to national legislation. Reservations of this nature contribute to undermining the basis of international treaty law. All States Parties share a common interest in the respect for the object and purpose of the treaty to which they have chosen to become parties.

Sweden therefore objects to the reservations made by the United States to:

- article 2; cf. Understanding (1);
- article 4; cf. Understanding (1);
- article 6; cf. Reservation (2);
- article 7; cf. Reservation (3);
- article 15; cf. Reservation (4);
- article 24; cf. Understanding (1).

This objection does not constitute an obstacle to the entry into force of the Covenant between Sweden and the United States of America.

Vietnam, 24 september 1982

That the provisions of article 48, paragraph 1, of the International Covenant on Civil and Political Rights, and article 26, paragraph 1, of the International Covenant on Economic, Social and Cultural Rights, under which a number of States are deprived of the opportunity to become parties to the Covenants, are of a discriminatory nature. The Government of the Socialist Republic of Viet Nam considers that the Covenants, in accordance with the principle of sovereign equality of States, should be open for participation by all States without any discrimination or limitation

Zimbabwe, 20 augustus 1991

The Government of the Republic of Zimbabwe recognizes with effect from today's date, the competence of the Human Rights Committee to receive and consider communications to the effect that a State Party claims that another state party is not fulfilling its obligations under the Covenant [provided that such State Party has, not less than twelve months prior to the submission by it of a communication relating to Zimbabwe, made a declaration under article 41 recognizing the competence of the Committee to receive and consider communications relating to itself].

Zuid-Afrika, 10 december 1998

The Republic of South Africa declares that it recognises, for the purposes of article 41 of the Covenant, the competence of the Human Rights Committee to receive and consider communications to the effect

that a State Party claims that another State Party is not fulfilling its obligations under present the Covenant.

Zuid-Korea, 10 april 1990

The Government of the Republic of Korea [declares] that the provisions of [...] , article 22 [...] of the Covenant shall be so applied as to be in conformity with the provisions of the local laws including the Constitution of the Republic of Korea.

[The Government of the Republic of Korea] recognizes the competence of the Human Rights Committee under article 41 of the Covenant.

Bezwaar door Duitsland, 28 mei 1991

[The Federal Republic of Germany] interprets the declaration to mean that the Republic of Korea does not intend to restrict its obligations under article 22 by referring to its domestic legal system.

Bezwaar door **Nederlanden, het Koninkrijk der**, 10 juni 1991

In the opinion of the Government of the Kingdom of the Netherlands it follows from the text and the history of the International Covenant on Civil and Political Rights that the reservations with respect to articles 14, paragraphs 5 and 7 and 22 of the Covenant made by the Government of the Republic of Korea are incompatible with the object and purpose of the Covenant. The Government of the Kingdom of the Netherlands therefore considers the reservation unacceptable and formally raises objection to it. This objection is not an obstacle to the entry into force of this Covenant between the Kingdom of the Netherlands and the Republic of Korea.

Bezwaar door Tsjechoslowakije (<01-01-1993), 7 juni 1991

The Government of the Czech and Slovak Federal Republic considers the reservations entered by the Government of the Republic of Korea to the provisions of paragraphs 5 and 7 of article 14 and article 22 of the International Covenant on Civil and Political Rights as incompatible with the object and purpose of the Covenant. In the opinion of the Czechoslovak Government these reservations are in contradiction to the generally recognized principle of international law according to which a state cannot invoke the provisions of its own internal law as justification for its failure to perform a treaty.

Therefore, the Czech and Slovak Federal Republic does not recognize these reservations as valid. Nevertheless the present declaration will not be deemed to be an obstacle to the entry into force of the Covenant between the Czech and Slovak Federal Republic and the Republic of Korea.

Bezwaar door Verenigd Koninkrijk, het, 24 mei 1991

The Government of the United Kingdom have noted the statement formulated by the Government of the Republic of Korea on accession, under the title "Reservations". They are not however able to take a position on these purported reservations in the absence of a sufficient indication of their intended effect, in accordance with the terms of the Vienna Convention on the Law of Treaties and the practice of the Parties to the Covenant. Pending receipt of such indication, the Government of the United Kingdom reserve their rights under the Covenant in their entirety.

Zuid-Korea, 15 maart 1991

The Government of the Republic of Korea notifies the Secretary-General of its decision to withdraw the reservation made in respect of article 23, paragraph 4 with effect from 15 March 1991.

Zuid-Korea, 19 januari 1993

The Government of the Republic of Korea notifies the Secretary-General of its decision to withdraw the reservation made in respect of article 14, paragraph 7 with effect from 21 January 1993.

Zuid-Korea, 2 april 2007

The Government of the Republic of Korea notifies the Secretary-General of its decision to withdraw the reservation made in respect of article 14, paragraph 5 with effect from 2 April 2007.

Zweden, 26 november 1971

Sweden recognizes the competence of the Human Rights Committee referred to in article 28 of the Covenant to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Covenant.

Zweden, 6 december 1971

Sweden reserves the right not to apply the provisions of article 10, paragraph 3, with regard to the obligation to segregate juvenile offenders from adults, the provisions of article 14, paragraph 7, and the provisions of article 20, paragraph 1, of the Covenant.

Zwitserland, 18 juni 1992

(a) Reservation concerning article 10, paragraph 2 (b):

The separation of accused juvenile persons from adults is not unconditionally guaranteed.

(b) Reservation concerning article 12, paragraph 1:

The right to liberty of movement and freedom to choose one's residence is applicable, subject to the federal laws on aliens, which provide that residence and establishment permits shall be valid only for the canton which issues them.

(c) Reservations concerning article 14, paragraph 1:

The principle of a public hearing is not applicable to proceedings which involve a dispute relating to civil rights and obligations or to the merits of the prosecution's case in a criminal matter; these, in accordance with cantonal laws, are held before an administrative authority. The principle that any judgement rendered shall be made public is adhered to without prejudice to the cantonal laws on civil and criminal procedure, which provide that a judgement shall not be rendered at a public hearing, but shall be transmitted to the parties in writing.

The guarantee of a fair trial has as its sole purpose, where disputes relating to civil rights and obligations are concerned, to ensure final judicial review of the acts or decisions of public authorities which have a bearing on such rights or obligations. The Term "final judicial review" means a judicial examination which is limited to the application of the law, such as a review by a Court of Cassation.

The right to liberty of movement and freedom to choose one's residence is applicable, subject to the federal laws on aliens, which provide that residence and establishment permits shall be valid only for the canton which issues them.

Reservation concerning article 14, paragraph 3, sub-paragraphs (d) and (f):

The guarantee of free legal assistance assigned by the court and of the free assistance of an interpreter does not definitely exempt the beneficiary from defraying the resulting costs.

(e) Reservation concerning article 14, paragraph 5:

The reservation applies to the federal laws on the organization of criminal justice, which provide for an exception to the right of anyone convicted of a crime to have his conviction and sentence reviewed by a higher tribunal, where the person concerned is tried in the first instance by the highest tribunal.

(f) Reservation concerning article 20:

Switzerland reserves the right not to adopt further measures to ban propaganda for war, which is prohibited by article 20, paragraph 1.

Reservation to article 20, paragraph 2:

Switzerland reserves the right to adopt a criminal provision which will take into account the requirements of article 20, paragraph 2, on the occasion of its forthcoming accession to the 1966 International Convention on the Elimination of All Forms of Racial Discrimination.

(g) Reservation concerning article 25, subparagraph (b):

The present provision shall be applied without prejudice to the cantonal and communal laws, which provide for or permit elections within assemblies to be held by a means other than secret ballot.

(h) Reservation concerning article 26:

The equality of all persons before the law and their entitlement without any discrimination to the equal protection of the law shall be guaranteed only in connection with other rights contained in the present Covenant.

Zwitserland, 16 oktober 1995

The Government of Switzerland notifies the Secretary-General that it has decided to withdraw its reservation to article 20, paragraph 2 made upon accession.

Zwitserland, 25 april 1997

The Swiss Government declares, pursuant to article 41 (1) of the [said Covenant], that it shall recognize for a further period of five years, as from 18 September 1997, the competence of the Human Rights Committee to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the present Covenant.

Zwitserland, 12 januari 2004

The Government of Switzerland notifies the Secretary-General that it has decided to withdraw its reservation to article 14, paragraph 3, subparagraphs (d) and (f) made upon accession.

Zwitserland, 1 mei 2007

The Government of Switzerland notifies the Secretary-General that it has decided to withdraw its reservations to article 10, paragraph 2 (b) and article 14, paragraph 1 and 5 made upon accession.

Zwitserland, 11 mei 2010

[...] the Swiss Federal Council declares, pursuant to article 41 (1) of the International Covenant on Civil and Political Rights of 16 December 1966, that it recognizes for a further period of five years, beginning on 16 April 2010, the competence of the Human Rights Committee to receive and consider communications from States parties concerning non-compliance by other States parties with the obligations arising under the Covenant.

Facultatief Protocol

Zie rubriek E van *Trb.* 1969, 99 en rubriek F van *Trb.* 1975, 60.

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Albanië		04-10-07	T	04-01-08		
Algerije		12-09-89	T	12-12-89		
Andorra	05-08-02	22-09-06	R	22-12-06		
Angola		10-01-92	T	10-04-92		
Argentinië		08-08-86	T	08-11-86		

Partij	Onder- tekening	Ratificatie	Type [*]	In werking	Opzeg- ging	Buiten werking
Armenië		23-06-93	T	23-09-93		
Australië		25-09-91	T	25-12-91		
Azerbeidzjan		27-11-01	T	27-02-02		
Barbados		05-01-73	T	23-03-76		
Belarus		30-09-92	T	30-12-92		
België		17-05-94	T	17-08-94		
Benin		12-03-92	T	12-06-92		
Bolivia		12-08-82	T	12-11-82		
Bosnië en Herzegovina	01-03-95	01-03-95	R	01-06-95		
Brazilië		25-09-09	T	25-12-09		
Bulgarije		26-03-92	T	26-06-92		
Burkina Faso		04-01-99	T	04-04-99		
Cambodja	27-09-04					
Canada		19-05-76	T	19-08-76		
Centraal- Afrikaanse Republiek		08-05-81	T	08-08-81		
Chili		27-05-92	T	27-08-92		
Colombia	21-12-66	29-10-69	R	23-03-76		
Congo, Democratische Republiek		01-11-76	T	01-02-77		
Congo, Republiek		05-10-83	T	05-01-84		
Costa Rica	19-12-66	29-11-68	R	23-03-76		
Cyprus	19-12-66	15-04-92	R	15-07-92		
Denemarken	20-03-68	06-01-72	R	23-03-76		
Djibouti		05-11-02	T	05-02-03		
Dominicaanse Republiek		04-01-78	T	04-04-78		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Duitsland		25-08-93	T	25-11-93		
Ecuador	04-04-68	06-03-69	R	23-03-76		
El Salvador	21-09-67	06-06-95	R	06-09-95		
Equatoriaal- Guinea		25-09-87	T	25-12-87		
Estland		21-10-91	T	21-01-92		
Filipijnen	19-12-66	22-08-89	R	22-11-89		
Finland	11-12-67	19-08-75	R	23-03-76		
Frankrijk		17-02-84	T	17-05-84		
Gambia		09-06-88	T	09-09-88		
Georgië		03-05-94	T	03-08-94		
Ghana	07-09-00	07-09-00	R	07-12-00		
Griekenland		05-05-97	T	05-08-97		
Guatemala		28-11-00	T	28-02-01		
Guinee	19-03-75	17-06-93	R	17-09-93		
Guinee-Bissau	12-09-00					
Guyana		05-01-99	T	05-04-99		
Honduras	19-12-66	07-06-05	R	07-09-05		
Hongarije		07-09-88	T	07-12-88		
Ierland		08-12-89	T	08-03-90		
IJsland		22-08-79	T	22-11-79		
Italië	30-04-76	15-09-78	R	15-12-78		
Ivoorkust		05-03-97	T	05-06-97		
Jamaica	19-12-66	03-10-75	R	23-03-76	23-10-97	23-01-98
Joegoslavië (< 25-06-1991)	14-03-90					
Kaapverdië		19-05-00	T	19-08-00		
Kameroen		27-06-84	T	27-09-84		
Kazachstan	25-09-07	30-06-09	R	30-09-09		

Partij	Onder- tekening	Ratificatie	Type [*]	In werking	Opzeg- ging	Buiten werking
Kirgistan		07-10-94	T	07-01-95		
Kroatië		12-10-95	T	12-01-96		
Lesotho		06-09-00	T	06-12-00		
Letland		22-06-94	T	22-09-94		
Liberia	22-09-04					
Libië		16-05-89	T	16-08-89		
Liechtenstein		10-12-98	T	10-03-99		
Litouwen		20-11-91	T	20-02-92		
Luxemburg		18-08-83	T	18-11-83		
Macedonië, de voormalige Joegoslavische Republiek	12-12-94	12-12-94	R	12-03-95		
Madagaskar	17-09-69	21-06-71	R	23-03-76		
Malawi		11-06-96	T	11-09-96		
Malediven		19-09-06	T	19-12-06		
Mali		24-10-01	T	24-01-02		
Malta		13-09-90	T	13-12-90		
Mauritius		12-12-73	T	23-03-76		
Mexico		15-03-02	T	15-06-02		
Moldavië	16-09-05	23-01-08	R	23-04-08		
Mongolië		16-04-91	T	16-07-91		
Montenegro		23-10-06	VG	03-06-06		
Namibië		28-11-94	T	28-02-95		
Nauru	12-11-01					
Nederlanden, het Koninkrijk der – Nederland: – in Europa – Bonaire – Sint Eustatius – Saba	25-06-69	11-12-78 – –	R	11-03-79 10-10-10 10-10-10 10-10-10		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
– Aruba – Curaçao – Sint Maarten		– – –		01-01-86 10-10-10 10-10-10		
Nepal		14-05-91	T	14-08-91		
Nicaragua		12-03-80	T	12-06-80		
Nieuw-Zeeland		26-05-89	T	26-08-89		
Niger		07-03-86	T	07-06-86		
Noorwegen	20-03-68	13-09-72	R	23-03-76		
Oekraïne		25-07-91	T	25-10-91		
Oezbekistan		28-09-95	T	28-12-95		
Oostenrijk	10-12-73	10-12-87	R	10-03-88		
Panama	27-07-76	08-03-77	R	08-06-77		
Paraguay		10-01-95	T	10-04-95		
Peru	11-08-77	03-10-80	R	03-01-81		
Polen		07-11-91	T	07-02-92		
Portugal	01-08-78	03-05-83	R	03-08-83		
Roemenië		20-07-93	T	20-10-93		
Russische Federatie		01-10-91	T	01-01-92		
Saint Vincent en de Grenadines		09-11-81	T	09-02-82		
San Marino		18-10-85	T	18-01-86		
Sao Tomé en Principe	06-09-00					
Senegal	06-07-70	13-02-78	R	13-05-78		
Servië	12-03-01	06-09-01	R	06-12-01		
Seychellen		05-05-92	T	05-08-92		
Sierra Leone		23-08-96	T	23-11-96		
Slovenië		16-07-93	T	16-10-93		
Slowakije		28-05-93	VG	01-01-93		

Partij	Ondertekening	Ratificatie	Type*	In werking	Opzegging	Buiten werking
Somalië		24-01-90	T	24-04-90		
Spanje		25-01-85	T	25-04-85		
Sri Lanka		03-10-97	T	03-01-98		
Suriname		28-12-76	T	28-03-77		
Tadzjikistan		04-01-99	T	04-04-99		
Togo		30-03-88	T	30-06-88		
Trinidad en Tobago		26-05-98	T	26-08-98	27-03-00	27-06-00
Tsjaad		09-06-95	T	09-09-95		
Tsjechië		22-02-93	VG	01-01-93		
Tsjechoslowakije (<01-01-1993)		12-03-91	T	12-06-91		
Tunesië		29-06-11	T	29-09-11		
Turkije	03-02-04	24-11-06	R	24-02-07		
Turkmenistan		01-05-97	T	01-08-97		
Uganda		14-11-95	T	14-02-96		
Uruguay	21-02-67	01-04-70	R	23-03-76		
Venezuela	15-11-76	10-05-78	R	10-08-78		
Zambia		10-04-84	T	10-07-84		
Zuid-Afrika		28-08-02	T	28-11-02		
Zuid-Korea		10-04-90	T	10-07-90		
Zweden	29-09-67	06-12-71	R	23-03-76		

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

Verklaringen, voorbehouden en bezwaren

Chili, 27 mei 1992

In recognizing the competence of the Human Rights Committee to receive and consider communications from individuals, it is the understanding of the Government of Chile that this competence applies in

respect of acts occurring after the entry into force for that State of the Optional Protocol or, in any event, to acts which began after 11 March 1990.

Denemarken, 6 januari 1972

With reference to article 5, paragraph 2 (a), the Government of Denmark makes a reservation with respect to the Competence of the Committee to consider a communication from an individual if the matter has already been considered under other procedures of international investigation.

Duitsland, 25 augustus 1993

The Federal Republic of Germany formulates a reservation concerning article 5 paragraph 2 (a) to the effect that the competence of the Committee shall not apply to communications

- a) which have already been considered under another procedure of international investigation or settlement, or
- b) by means of which a violation of rights is reprimanded having its origin in events occurring prior to the entry into force of the Optional Protocol for the Federal Republic of Germany
- c) by means of which a violation of article 26 of the [said Covenant] is reprimanded, if and insofar as the reprimanded violation refers to rights other than those guaranteed under the aforementioned Covenant.

El Salvador, 6 juni 1995

[...] That its provisions mean that the competence of the Human Rights Committee is recognized solely to receive and consider communications from individuals solely and exclusively in those situations, events, cases, omissions and legal occurrences or acts the execution of which began after the date of deposit of the instrument of ratification, that is, those which took place three months after the date of the deposit, pursuant to article 9, paragraph 2, of the Protocol; the Committee being also without competence to examine communications and/or complaints which have been submitted to other procedures of international investigation or settlement.

Frankrijk, 17 februari 1984

France interprets article 1 of the Protocol as giving the Committee the competence to receive and consider communications from individuals subject to the jurisdiction of the French Republic who claim to be victims of a violation by the Republic of any of the rights set forth in the Covenant which results either from acts, omissions, developments or events occurring after the date on which the Protocol entered into force for the Republic, or from a decision relating to acts, omissions, developments or events after that date. With regard to article 7, France's accession to the Optional Protocol should not be interpreted as implying any change in its position concerning the resolution referred to in that article.

France makes a reservation to article 5, paragraph 2(a), specifying that the Human Rights Committee shall not have competence to consider a communication from an individual if the same matter is being examined or has already been considered under another procedure of international investigation or settlement.

Guatemala, 28 november 2000

The Republic of Guatemala recognizes the competence of the Human Rights Committee to receive and consider communications from individuals subject to the jurisdiction of the Republic who claim to be victims of a violation by Guatemala of any of the rights set forth in the International Covenant relating to acts, omissions, situations or events occurring after the date on which the Optional Protocol entered into force for the Republic of Guatemala or to decisions resulting from acts, omissions, situations or events after that date.

Guyana, 5 januari 1999

[...] Guyana re-accedes to the Optional Protocol to the International Covenant on Civil and Political Rights with a Reservation to article 6 thereof with the result that the Human Rights Committee shall not be competent to receive and consider communications from any persons who is under sentence of death for the offences of murder and treason in respect of any matter relating to his prosecution, detention, trial, conviction, sentence or execution of the death sentence and any matter connected therewith.

Accepting the principle that States cannot generally use the Optional Protocol as a vehicle to enter reservations to the International Covenant on Civil and Political Rights itself, the Government of Guyana stresses that its Reservation to the Optional Protocol in no way detracts from its obligations and engagements under the Covenant, including its undertaking to respect and ensure to all individuals within the territory of Guyana and subject to its jurisdiction the rights recognised in the Covenant (in so far as not already reserved against) as set out in article 2 thereof, as well as its undertaking to report to the Human Rights Committee under the monitoring mechanism established by article 40 thereof.

Bezwaar door Duitsland, 26 augustus 1999

The purpose of the Protocol is to strengthen the position of the individual under the Covenant. While the Government of the Federal Republic of Germany welcomes the decision of the Government of Guyana to reaccede to the Optional Protocol it holds the view that the benefits of the Optional Protocol should not be denied to individuals who are under the most severe sentence, the sentence of death. Furthermore, the Government of the Federal Republic of Germany is of the view that denunciation of an international human rights instrument followed by immediate reaccession under a far reaching reservation may set a bad precedent.

The Government of the Federal Republic of Germany objects to the reservation. This objection shall not preclude the entry into force of the Optional Protocol between the Federal Republic of Germany and Guyana.

Bezwaar door Finland, 17 maart 2000

The Government of Finland is of the view that denying the rights recognised in the Optional Protocol from individuals under the most severe sentence is in contradiction with the object and purpose of the said Protocol.

Furthermore, the Government of Finland wishes to express its serious concern as to the procedure followed by Guyana, of denouncing the Optional Protocol (to which it did not have any reservations) followed by an immediate re-accession with a reservation. The Government of Finland is of the view that such a procedure is highly undesirable as circumventing the rule of the law of treaties that prohibits the formulation of reservations after accession.

The Government of Finland therefore objects to the reservation made by the Government of Guyana to the said Protocol.

This objection does not preclude the entry into force of the Optional Protocol between Guyana and Finland. The Optional Protocol will thus become operative between the two states without Guyana benefitting from the reservation.

Bezwaar door Frankrijk, 28 januari 2000

[...] While article 12, paragraph 1, of the Protocol provides that any State Party may denounce the Protocol “at any time”, with the denunciation taking effect “three months after the date of receipt of the notification by the Secretary-General”, denunciation of the Protocol may not in any case be used by a State Party for the purpose of formulating reservations to the Covenant well after the party has signed, ratified or acceded thereto. Such a practice would call into question international commitments by a sort of abuse of process; it would be a clear violation of the principle of good faith that prevails in international law and would be incompatible with the rule of *pacta sunt servanda*. The means used (denunciation and accession on the same day to the same instrument but with a reservation) cannot but elicit a negative reaction.

Consequently, the Government of the French Republic expresses its objection to the reservation made by Guyana.

Bezwaar door **Nederlanden, het Koninkrijk der**, 22 oktober 1999

[...]

2. The Government of the Kingdom of the Netherlands is of the view that this reservation, which seeks to limit the obligations of the reserving State towards individuals under sentence of death, raises doubts as to the object and purpose of the Optional Protocol.
3. The Government of the Netherlands considers that the purpose of the Optional Protocol [to the International Covenant on Civil and Political Rights] is to strengthen the position of the individual under the Covenant. Denying the benefits of the Optional Protocol in relation to the Covenant to a group of individuals under the most severe sentence is fundamentally in conflict with the object and purpose of the Optional Protocol.
4. Also the Government of the Kingdom of the Netherlands considers the procedure followed by Guyana, of denouncing the Optional Protocol followed by a re-accession with reservations, as contrary to the rules of the law of treaties that prohibit the formulation of reservations after ratification. The procedure followed by Guyana circumvents such well-established rules.
5. The Government of the Kingdom of the Netherlands therefore objects to the aforementioned reservation made by the Government of Guyana to the Optional Protocol to the International Covenant on Civil and Political Rights.
6. This objection shall not preclude the entry into force of the Optional Protocol between the Kingdom of the Netherlands and Guyana.

Bezwaar door Polen, 8 augustus 2000

The Government of the Republic of Poland believes that this reservation seeks to deny the benefits of the Optional Protocol towards a group of individuals under the sentence of death. This reservation is contrary to the object and purpose of the Protocol which is to strengthen the position of individuals in respect of the human rights protected by the Covenant. Furthermore the Government of the Republic of Poland considers the procedure followed by the Government of the Republic of Guyana in the denunciation of the Optional Protocol, and its subsequent re-accession with reservation as not consistent with the law of treaties and clearly undermining the Protocol. The Government of the Republic of Poland therefore objects to the above mentioned reservation made by the Government of the Republic of Guyana. This objection does not preclude the entry into force of the Optional Protocol between the Republic of Poland and the Republic of Guyana.

Bezwaar door Spanje, 1 december 1999

The Government of the Kingdom of Spain considers that this reservation raises doubts about the commitment of the Republic of

Guyana to the purpose and goal of the Optional Protocol, which is to strengthen the position of the individual with regard to the rights protected by the International Covenant on Civil and Political Rights. The reservation, on the other hand, seeks to limit the international obligations of Guyana towards individuals who are under sentence of death.

The Government of Spain also has doubts about the correctness of the procedure followed by the Government of Guyana, inasmuch as denunciation of the Optional Protocol followed by re-accession to it with a reservation prejudices the ratification process and undermines the international protection of human rights.

Consequently, the Government of Spain objects to the aforesaid reservation made by the Government of the Republic of Guyana to the Optional Protocol to the International Covenant on Civil and Political Rights.

This objection does not prevent the entry into force of the Optional Protocol between the Kingdom of Spain and the Republic of Guyana.

Bezwaar door Zweden, 27 april 2000

The Government of Sweden has examined the reservation to article 1 made by the Government of Guyana at the time of its re-accession to the Optional Protocol. The Government of Sweden notes that the Government of Guyana accepts the principle that States cannot use the Optional Protocol as a vehicle to enter reservations to the International Covenant on Civil and Political Rights itself, and that it stresses that its reservation in no way detracts from its obligations and engagements under the Covenant. Nevertheless, the Government of Sweden has serious doubts as to the propriety of the procedure followed by the Government of Guyana. While article 12, paragraph 1 of the Protocol provides that any State Party may denounce the Protocol "at any time", the denunciation may in no case be used by a State Party for the sole purpose of formulating reservations to that instrument after having re-acceded to it. Such a practice would constitute a misuse of the procedure and would be manifestly contrary to the principle of good faith. It further contravenes the rule of *pacta sunt servanda*. As such, it undermines the basis of international treaty law and the protection of human rights. The Government of Sweden therefore wishes to declare its grave concern over this method of proceeding.

Furthermore, the reservation seeks to limit the international obligations of Guyana towards individuals under sentence of death. The Government of Sweden is of the view that the right to life is fundamental and that the death penalty cannot be accepted. It is therefore of utmost importance that states that persist in this prac-

tice refrain from further weakening the position of that group of individuals.

Ierland, 8 december 1989

Article 5, paragraph 2

Ireland does not accept the competence of the Human Rights Committee to consider a communication from an individual if the matter has already been considered under another procedure of international investigation or settlement.

IJsland, 22 augustus 1979

Iceland [...] accedes to the said Protocol subject to a reservation, with reference to article 5, paragraph 2, with respect to the competence of the Human Rights Committee to consider a communication from an individual if the matter is being examined or has been examined under another procedure of international investigation or settlement. Other provisions of the Covenant shall be inviolably observed.

Italië, 15 september 1978

The Italian Republic ratifies the Optional Protocol to the International Covenant on Civil and Political Rights, it being understood that the provisions of article 5, paragraph 2, of the Protocol mean that the Committee provided for in article 28 of the Covenant shall not consider any communication from an individual unless it has ascertained that the same matter is not being and has not been examined under another procedure of international investigation or settlement.

Kazachstan, 30 juni 2009

The Republic of Kazakhstan, in accordance with article 1 of the Optional Protocol to the International Covenant on Civil and Political Rights, recognizes the competence of the Human Rights Committee to receive and consider communications from individuals subject to the jurisdiction of the Republic of Kazakhstan concerning actions and omissions by the State authorities or acts or decisions adopted by them following the entry into force of this Optional Protocol in the Republic of Kazakhstan.

Kroatië, 12 oktober 1995

The Republic of Croatia interprets article 1 of this Protocol as giving the Committee the competence to receive and consider communications from individuals subject to the jurisdiction of the Republic of Croatia who claim to be victims of a violation by the Republic of any rights set forth in the Covenant which results either from acts, omissions or events occurring after the date on which the Protocol entered into force for the Republic of Croatia.

With regard to article 5, paragraph 2 (a) of the Protocol, the Republic of Croatia specifies that the Human Rights Committee shall not have com-

petence to consider a communication from an individual if the same matter is being examined or has already been examined under another procedure of international investigation or settlement.

Luxemburg, 18 augustus 1983

The Grand Duchy of Luxembourg accedes to the Optional Protocol to the International Covenant on Civil and Political Rights, on the understanding that the provisions of article 5, paragraph 2, of the Protocol mean that the Committee established by article 28 of the Covenant shall not consider any communications from an individual unless it has ascertained that the same matter is not being examined or has not already been examined under another procedure of international investigation or settlement.

Malta, 13 september 1990

1. Malta accedes to the Optional Protocol to the International Covenant on Civil and Political Rights, on the understanding that the provisions of article 5, paragraph 2, of the Protocol mean that the Committee established by article 28 of the Covenant, shall not consider any communication from an individual unless it has ascertained that the same matter is not being examined or has not already been examined under another procedure of international investigation or settlement.

2. The Government of Malta interprets Article 1 of the Protocol as giving the Committee the competence to receive and consider communications from individuals subject to the jurisdiction of Malta who claim to be victims of a violation by Malta of any of the rights set forth in the Covenant which results either from acts, omissions, developments or events occurring after the date on which the Protocol enters into force for Malta, or from a decision relating to acts, omissions, developments or events after that date.

Moldavië, 23 januari 2008

Until the full re-establishment of the territorial integrity of the Republic of Moldova, the provisions of the [Protocol] will be applied only on the territory controlled effectively by the authorities of the Republic of Moldova.

The Human Rights Committee shall not have competence to examine communications from individuals referring to violations of any of the rights set forth in the International Covenant on Civil and Political Rights committed until the date of the enter into force of the present Protocol for the Republic of Moldova.

According to the Article 5 paragraph (2) letter a) of the Protocol: the Human Rights Committee shall not have competence to consider communications from an individual if the matter is being or has already been examined by another international specialized body.

Noorwegen, 13 september 1972

Subject to the following reservation to article 5, paragraph 2: “[...] The Committee shall not have competence to consider a communication from an individual if the same matter has already been examined under other procedures of international investigation or settlement.”

Oostenrijk, 10 december 1987

On the understanding that, further to the provisions of article 5 (2) of the Protocol, the Committee provided for in Article 28 of the Covenant shall not consider any communication from an individual unless it has been ascertained that the same matter has not been examined by the European Commission on Human Rights established by the European Convention for the Protection of Human Rights and Fundamental Freedoms.

Polen, 7 november 1991

Poland accedes to the Protocol while making a reservation that would exclude the procedure set out in article 5 (2) (a), in cases where the matter has already been examined under another procedure of international investigation or settlement.

Roemenië, 20 juli 1993

Romania considers that, in accordance with article 5, paragraph 2(a) of the Protocol, the Human Rights Committee shall not have competence to consider communications from an individual if the matter is being or has already been examined under another procedure of international investigation or settlement.

Russische Federatie, 1 oktober 1991

The Union of Soviet Socialist Republics, pursuant to article 1 of the Optional Protocol, recognizes the competence of the Human Rights Committee to receive and consider communications from individuals subject to the jurisdiction of the Union of Soviet Socialist Republics, in respect of situations or events occurring after the date on which the Protocol entered into force for the USSR. The Soviet Union also proceeds from the understanding that the Committee shall not consider any communications unless it has been ascertained that the same matter is not being examined under another procedure of international investigation or settlement and that the individual in question has exhausted all available domestic remedies.

Slovenië, 16 juli 1993

The Republic of Slovenia interprets article 1 of the Protocol as giving the Committee the competence to receive and consider communications from individuals subject to the jurisdiction of the Republic of Slovenia who claim to be victims of a violation by the Republic of any of the rights set forth in the Covenant which results either from acts or omissions, developments or events occurring after the date on which the Pro-

toocol entered into force for the Republic of Slovenia, or from a decision relating to acts, omissions, developments or events after that date. With regard to article 5, paragraph 2(a) of the Optional Protocol, the Republic of Slovenia specifies that the Human Rights Committee shall not have competence to consider a communication from an individual if the same matter is being examined or has already been considered under another procedure of international investigation or settlement.

Spanje, 25 januari 1985

The Spanish Government accedes to the Optional Protocol to the International Covenant on Civil and Political Rights, on the understanding that the provisions of article 5, paragraph 2, of that Protocol mean that the Human Rights Committee shall not consider any communication from an individual unless it has ascertained that the same matter has not been or is not being examined under another procedure of international investigation or settlement.

Sri Lanka, 3 oktober 1997

The Government of the Democratic Socialist Republic of Sri Lanka pursuant to article (1) of the Optional Protocol recognises the competence of the Human Rights Committee to receive and consider communications from individuals subject to the jurisdiction of the Democratic Socialist Republic of Sri Lanka, who claim to be victims of a violation of any of the rights set forth in the Covenant which results either from acts, omissions, developments or events occurring after the date on which the Protocol entered into force for the Democratic Socialist Republic of Sri Lanka or from a decision relating to acts, omissions, developments or events after that date. The Democratic Socialist Republic of Sri Lanka also proceeds on the understanding that the Committee shall not consider any communication from individuals unless it has ascertained that the same matter is not being examined or has not been examined under another procedure of international investigation or settlement.

Trinidad en Tobago, 26 augustus 1998

[...] Trinidad and Tobago re-accedes to the Optional Protocol to the International Covenant on Civil and Political Rights with a Reservation to article 1 thereof to the effect that the Human Rights Committee shall not be competent to receive and consider communications relating to any prisoner who is under sentence of death in respect of any matter relating to his prosecution, his detention, his trial, his conviction, his sentence or the carrying out of the death sentence on him and any matter connected therewith.

Accepting the principle that States cannot use the Optional Protocol as a vehicle to enter reservations to the International Covenant on Civil and Political Rights itself, the Government of Trinidad and Tobago stresses that its Reservation to the Optional Protocol in no way detracts from its

obligations and engagements under the Covenant, including its undertaking to respect and ensure to all individuals within the territory of Trinidad and Tobago and subject to its jurisdiction the rights recognised in the Covenant (in so far as not already reserved against) as set out in article 2 thereof, as well as its undertaking to report to the Human Rights Committee under the monitoring mechanism established by article 40 thereof.

Bezwaar door Denemarken, 6 augustus 1999

The Government of the Kingdom of Denmark finds that the reservation made by the Government of Trinidad and Tobago at the time of its re-accession to the Optional Protocol to the International Covenant on Civil and Political Rights raises doubts as to the commitment of Trinidad and Tobago to the object and purpose of the Optional Protocol.

The reservation seeks to limit the obligations of the reserving State towards individuals under sentence of death. The purpose of the Optional Protocol to the International Covenant on Civil and Political Rights is to strengthen the position of the individual under the Covenant. Denying the benefits of the Optional Protocol to a group of individuals under the most severe sentence is not in conformity with the object and purpose of the Optional Protocol.

The procedure followed by Trinidad and Tobago, of denouncing the Optional Protocol followed by a re-accession with a reservation circumvents the rules of the law of treaties that prohibit the formulation of reservations after ratification. The Government of the Kingdom of Denmark therefore objects to the aforementioned reservation made by the Government of Trinidad and Tobago to the Optional Protocol to the International Covenant on Civil and Political Rights.

The objection shall not preclude the entry into force of the Optional Protocol between the Government of the Kingdom of Denmark and the Government of Trinidad and Tobago.

Bezwaar door Duitsland, 13 augustus 1999

The purpose of the Protocol is to strengthen the position of the individual under the Covenant. While the Government of the Federal Republic of Germany welcomes the decision of the Government of Trinidad and Tobago to reaccede to the Optional Protocol it holds the view that the benefits of the Optional Protocol should not be denied to individuals who are under the most severe sentence, the sentence of death. Furthermore, the Government of the Federal Republic of Germany is of the view that denunciation of an international human rights instrument followed by immediate reaccession under a far reaching reservation may set a bad precedent.

The Government of the Federal Republic of Germany objects to the reservation. This objection shall not preclude the entry into force of the Optional Protocol between the Federal Republic of Germany and Trinidad and Tobago.

Bezwaar door Frankrijk, 9 september 1999

[...] While article 12, paragraph 1, of the Protocol provides that any State Party may denounce the Protocol “at any time” and that the denunciation shall take effect “three months after the date of receipt of the notification by the Secretary-General”, the denunciation of the Protocol may in no case be used by a State Party for the sole purpose of formulating reservations to that instrument after having signed, ratified or acceded to it. Such a practice would undermine international commitments by constituting a form of misuse of procedure, would be manifestly contrary to the principle of good faith prevailing in international law and would contravene the rule of *pacta sunt servanda*. The means used (denunciation and accession on the same day to the same instrument, but with a reservation) cannot but prompt a negative reaction, irrespective of the doubts which may arise as to the compatibility of this reservation with the goal and purpose of the treaty.

Consequently, the Government of the French Republic expresses its disapproval of the reservation formulated by Trinidad and Tobago.

Bezwaar door Ierland, 23 augustus 1999

1. [...]

2. The Government of Ireland is of the view that this reservation raises doubts as to the commitment of Trinidad and Tobago to the object and purpose of the Optional Protocol, which is to strengthen the position of the individual in respect of the rights protected by the International Covenant on Civil and Political Rights. The reservation on the contrary seeks to limit the international obligations of Trinidad and Tobago towards individuals under sentence of death.

3. The Government of Ireland also has doubts as to the propriety of the procedure followed by the Government of Trinidad and Tobago in that denunciation of the Optional Protocol, succeeded by re-accession with a reservation, compromises the ratification process and undermines the International protection of human rights.

4. The Government of Ireland therefore objects to the aforementioned reservation made by the Government of Trinidad and Tobago to the Optional Protocol to the International Covenant on Civil and Political Rights.

5. The objection shall not preclude the entry into force of the Optional Protocol between Ireland and Trinidad and Tobago.

Bezwaar door Italië, 17 september 1999

The Government of the Italian Republic finds that the reservation made by the Government of Trinidad and Tobago at the time of its re-accession to the Optional Protocol to the International Covenant on Civil and Political Rights raises doubts as to the commitment of Trinidad and Tobago to the object and purpose of the Optional Protocol which is to strengthen the position of the individual in respect of the rights under the Covenant.

The reservation on the contrary seeks to limit the international obligations of Trinidad and Tobago towards individuals under sentence of death. The Government of the Italian Republic also has doubts as to the propriety of the procedure followed by the Government of Trinidad and Tobago in that denunciation of the Optional Protocol, succeeded by a re-accession with a reservation compromises the ratification process and undermines the international protection of human rights. The Government of the Italian Republic therefore objects to the afore-mentioned reservation made by the Government of Trinidad and Tobago to the Optional Protocol to the International Covenant on Civil and Political Rights. This objection shall not preclude the entry into force of the Optional Protocol between Italy and Trinidad and Tobago.

Bezwaar door **Nederlanden, het Koninkrijk der**, 6 augustus 1999

1. [...]

2. The Government of the Kingdom of the Netherlands is of the view that this reservation, which seeks to limit the obligations of the reserving State towards individuals under sentence of death, raises doubts as to the commitment of Trinidad and Tobago to the object and purpose of the Optional Protocol.

3. The Government of the Kingdom of the Netherlands considers that the purpose of the Optional Protocol to the International Covenant on Civil and Political Rights is to strengthen the position of the individual under the Covenant. Denying the benefits of the Optional Protocol in relation to the Covenant to a group of individuals under the most severe sentence is fundamentally in conflict with the object and purpose of the Optional Protocol.

4. Also the Government of the Kingdom of the Netherlands considers the procedure followed by Trinidad and Tobago, of denouncing the Optional Protocol followed by a re-accession with reservations, as contrary to the rules of the law of treaties that prohibit the formulation of reservations after ratification. The procedure followed by Trinidad and Tobago circumvents such well-established rules.

5. The Government of the Kingdom of the Netherlands therefore objects to the aforementioned reservation made by the Government of Trinidad and Tobago to the Protocol of the International Covenant on Civil and Political Rights.

6. This objection shall not preclude the entry into force of the Optional Protocol between the Kingdom of the Netherlands and Trinidad and Tobago.

Bezwaar door Noorwegen, 6 augustus 1999

The Government of Norway considers that the object and purpose of the Optional Protocol is to contribute to securing the compliance with the provisions of the International Covenant on Civil and Political Rights by strengthening the position of the individual under the Covenant. Due to the universality of all Human Rights, the right to petition, which is enshrined in article 1 of the Optional Protocol, must apply to all individuals that are subject to the State Party's jurisdiction. Further, denying the benefits of the Optional Protocol in relation to the Covenant to a vulnerable group of individuals will contribute to further weakening of that group's position which the Government of Norway considers to be contrary to the object and purpose of the Optional Protocol.

Further, the Government of Norway is concerned with regard to the procedure followed by Trinidad and Tobago. The Government of Norway considers the denunciation of the Optional Protocol followed by a re-accession upon which a reservation is entered, as a circumvention of established rules of the law of treaties that prohibit the submission of reservations after ratification.

For these reasons, the Government of Norway objects to the reservation made by Trinidad and Tobago.

This objection shall not preclude the entry into force of the Optional Protocol between the Kingdom of Norway and Trinidad and Tobago.

Bezwaar door Spanje, 25 augustus 1999

The Government of the Kingdom of Spain believes that this reservation casts doubt on the commitment of Trinidad and Tobago to the object and purpose of the Optional Protocol, which is clearly to strengthen the individual's position with respect to the rights enshrined in the International Covenant on Civil and Political Rights. On the contrary, the aim of the reservation is to limit the international obligations of Trinidad and Tobago towards individuals under sentence of death.

The Government of the Kingdom of Spain also has reservations about whether the Government of Trinidad and Tobago has followed the proper procedure; the denunciation of the Optional

Protocol, followed by re-accession to it with a reservation, prejudices the ratification process and undermines the international protection of human rights.

Accordingly, the Government of Spain objects to this reservation made by the Government of Trinidad and Tobago to the Optional Protocol to the International Covenant on Civil and Political Rights.

This objection does not preclude the entry into force of the Optional Protocol as between the Kingdom of Spain and Trinidad and Tobago.

Bezwaar door Zweden, 17 augustus 1999

The Government of Sweden notes that the Government of Trinidad and Tobago accepts the principle that States cannot use the Optional Protocol as a vehicle to enter reservations to the International Covenant on Civil and Political Rights itself, and it stresses that its reservation in no way detracts from its obligations and engagements under the Covenant.

Nevertheless the Government of Sweden has serious doubts as to the propriety of the procedure followed by the Government of Trinidad and Tobago in that denunciation of the Optional Protocol succeeded by re-accession with a reservation undermines the basis of international treaty law as well as the international protection of human rights. The Government of Sweden therefore wishes to declare its grave concern over this method of proceeding.

Furthermore the reservation seeks to limit the international obligations of Trinidad and Tobago towards individuals under sentence to death. The Government of Sweden is of the view that the right to life is fundamental and that the death penalty cannot be accepted.

It is therefore of utmost importance that states that persist in this practice refrain from further weakening the position of that group of individuals.

Turkije, 24 november 2006

The Republic of Turkey declares that the three declarations and the reservation made by the Republic to the International Covenant on Civil and Political Rights shall also apply to the present Optional Protocol.

The three declarations and the reservation made by the Republic of Turkey to the International Covenant on Civil and Political Rights read as follows:

The Republic of Turkey declares that it will implement its obligations under the Covenant in accordance to the obligations under the Charter of the United Nations (especially Article 1 and 2 thereof).

The Republic of Turkey declares that it will implement the provisions of this Covenant only to the States with which it has diplomatic relations.

The Republic of Turkey declares that this Convention is ratified exclusively with regard to the national territory where the Constitution and the legal and administrative order of the Republic of Turkey are applied. The Republic of Turkey reserves the right to interpret and apply the provisions of Article 27 of the International Covenant on Civil and Political Rights in accordance with the related provisions and rules of the Constitution of the Republic of Turkey and the Treaty of Lausanne of 24 July 1923 and its Appendixes.

The Republic of Turkey interprets article 1 of the Protocol as giving the Committee the competence to receive and consider communications from individuals subject to the jurisdiction of the Republic of Turkey who claim to be the victims of a violation by the Republic of any of the rights set forth in the Covenant.

The Republic of Turkey formulates a reservation concerning article 5 paragraph 2 (a) of the Protocol to the effect that the competence of the Committee:

a) shall not apply to communications from individuals if the same matter has already been considered or is being considered under another procedure of international investigation or settlement.

b) shall be limited to communications concerning alleged violations which result either from acts, omissions, developments or events that may occur within the national boundaries of the territory of the Republic of Turkey after the date on which the protocol enters into force for the Republic of Turkey, or from a decision relating to acts, omissions, developments or events that may occur within the national boundaries of the territory of the Republic of Turkey after the date on which the Protocol enters into force for the Republic of Turkey.

c) shall not apply to communications by means of which a violation of article 26 of the International Covenant on Civil and Political Rights is reprimanded, if and insofar as the reprimanded violation refers to rights other than those guaranteed under the aforementioned Covenant.

Uganda, 14 november 1995

Article 5

The Republic of Uganda does not accept the competence of the Human Rights Committee to consider a communication under the provisions of article 5 paragraph 2 from an individual if the matter in question has already been considered under another procedure of international investigation or settlement.

Venezuela, 10 mei 1978

Article 60, paragraph 5, of the Constitution of the Republic of Venezuela establishes that: "No person shall be convicted in criminal trial unless he has first been personally notified of the charges and heard in the manner prescribed by law. Persons accused of an offence against the *res publica* may be tried *in absentia*, with the guarantees and in the manner prescribed by law". Venezuela is making this reservation because article 14,

paragraph 3 (d), of the Covenant makes no provision for persons accused of an offence against the *res publica* to be tried *in absentia*.

Zweden, 6 december 1971

On the understanding that the provisions of article 5, paragraph 2, of the Protocol signify that the Human Rights Committee provided for in article 28 of the said Covenant shall not consider any communication from an individual unless it has ascertained that the same matter is not being examined or has not been examined under another procedure of international investigation or settlement.

G. INWERKINGTREDING

Zie *Trb.* 1978, 177 en *Trb.* 1979, 65.

Wat betreft het Koninkrijk der Nederlanden, geldt het Verdrag, met Facultatief Protocol, dat vanaf 1 januari 1986 voor Nederland (het Europese deel), de Nederlandse Antillen en Aruba gold, vanaf 10 oktober 2010 voor Nederland (het Europese en het Caribische deel), Aruba, Curaçao en Sint Maarten.

J. VERWIJZINGEN

Zie voor verwijzingen en overige verdragsgegevens *Trb.* 1969, 99, *Trb.* 1970, 52, *Trb.* 1975, 60, *Trb.* 1978, 177, *Trb.* 1979, 65, *Trb.* 1984, 19 en *Trb.* 1995, 18.

Verbanden

Het Verdrag wordt aangevuld door:

- Titel : Tweede Facultatieve Protocol bij het Internationaal Verdrag inzake burgerrechten en politieke rechten, gericht op de afschaffing van de doodstraf;
New York, 15 december 1989
- Tekst: : *Trb.* 1990, 125 (Engels, Frans en vertaling)
- Laatste *Trb.* : *Trb.* 2012, 70

Overige verwijzingen

- Titel : Verdrag voor de vreedzame beslechting van internationale geschillen;
's-Gravenhage, 29 juli 1899
- Laatste *Trb.* : *Trb.* 2011, 191

- Titel : Verdrag voor de vreedzame beslechting van internationale geschillen;
's-Gravenhage, 18 oktober 1907
Laatste *Trb.* : *Trb.* 2011, 192
- Titel : Statuut van de Internationale Arbeidsorganisatie;
Versailles, 28 juni 1919
Laatste *Trb.* : *Trb.* 1998, 290
- Titel : Protocol nopens de chemische en bacteriologische oorlog;
Genève, 17 juni 1925
Laatste *Trb.* : *Trb.* 1995, 225
- Titel : Handvest van de Verenigde Naties;
San Francisco, 26 juni 1945
Laatste *Trb.* : *Trb.* 2011, 176
- Titel : Statuut van het Internationaal Gerechtshof;
San Francisco, 26 juni 1945
Laatste *Trb.* : *Trb.* 1997, 106
- Titel : Statuut van de Voedsel- en Landbouworganisatie van de Verenigde Naties;
Quebec, 16 oktober 1945
Laatste *Trb.* : *Trb.* 2009, 63
- Titel : Statuut van de Organisatie der Verenigde Naties voor Onderwijs, Wetenschap en Cultuur;
Londen, 16 november 1945
Laatste *Trb.* : *Trb.* 2009, 51
- Titel : Statuut van de Wereldgezondheidsorganisatie;
New York, 22 juli 1946
Laatste *Trb.* : *Trb.* 2007, 34
- Titel : Verdrag betreffende de vrijheid tot het oprichten van vakverenigingen en de bescherming van het vakverenigingsrecht;
San Francisco, 9 juli 1948
Laatste *Trb.* : *Trb.* 1997, 170

- Titel : Protocol tot wijziging van de internationale Regeling tot bestrijding van de zogenaamde handel in vrouwen en meisjes, Parijs, 18 mei 1904, en van het Verdrag tot bestrijding van de zogenaamde handel in vrouwen en meisjes, Parijs, 4 mei 1910; New York, 4 mei 1949
- Laatste *Trb.* : *Trb.* 1995, 210
- Titel : Verdrag van Genève voor de verbetering van het lot der gewonden en zieken, zich bevindende bij de strijdkrachten te velde; Genève, 12 augustus 1949
- Laatste *Trb.* : *Trb.* 1996, 237
- Titel : Verdrag van Genève voor de verbetering van het lot der gewonden, zieken en schipbreukelingen van de strijdkrachten ter zee; Genève, 12 augustus 1949
- Laatste *Trb.* : *Trb.* 1996, 238
- Titel : Verdrag van Genève betreffende de behandeling van krijgsgevangenen; Genève, 12 augustus 1949
- Laatste *Trb.* : *Trb.* 1996, 239
- Titel : Verdrag van Genève betreffende de bescherming van burgers in oorlogstijd; Genève, 12 augustus 1949
- Laatste *Trb.* : *Trb.* 1996, 240
- Titel : Verdrag tot bescherming van de rechten van de mens en de fundamentele vrijheden; Rome, 4 november 1950
- Laatste *Trb.* : *Trb.* 2010, 204
- Titel : Verdrag betreffende gelijke beloning van mannelijke en vrouwelijke arbeidskrachten voor arbeid van gelijke waarde; Genève, 29 juni 1951
- Laatste *Trb.* : *Trb.* 1997, 180
- Titel : Verdrag betreffende de status van vluchtelingen; Genève, 28 juli 1951
- Laatste *Trb.* : *Trb.* 1995, 136
- Titel : Verdrag betreffende de politieke rechten van de vrouw; New York, 31 maart 1953

- Laatste *Trb.* : *Trb.* 1995, 242
- Titel : Verdrag inzake de nationaliteit van de gehuwde vrouw;
New York, 20 februari 1957
- Laatste *Trb.* : *Trb.* 1992, 33
- Titel : Verdrag betreffende discriminatie in arbeid en beroep;
Genève, 25 juni 1958
- Laatste *Trb.* : *Trb.* 1997, 186
- Titel : Verdrag nopens de bestrijding van discriminatie in het
onderwijs;
Parijs, 14 december 1960
- Laatste *Trb.* : *Trb.* 1996, 173
- Titel : Verdrag inzake de huwelijkstoestemming, de minimum-
leeftijd waarop een huwelijk mag worden aangegaan en
de registratie van huwelijken;
New York, 10 december 1962
- Laatste *Trb.* : *Trb.* 1995, 243
- Titel : Protocol betreffende de status van vluchtelingen;
New York, 31 januari 1967
- Laatste *Trb.* : *Trb.* 2011, 203

Uitgegeven de *achttiende* april 2012.

De Minister van Buitenlandse Zaken,

U. ROSENTHAL