



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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MEETING OF STATES PARTIES
Fifth meeting
New York, 6 February 1990

RESERVATIONS, DECLARATIONS, NOTIFICATIONS AND OBJECTIONS
RELATING TO THE CONVENTION ON THE ELIMINATION OF ALL
FORM OF DISCRIMINATION AGAINST WOMEN

Note by the Secretary-General

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I. INTRODUCTION

This document contains the text of the declarations, reservations and objections made by States Parties with respect to the Convention on the Elimination of All Forms of Discrimination against Women, as reproduced in Multilateral Treaties Deposited with the Secretary-General: Status as at 31 December 1987 and in the reports of the Secretary-General on the status of the Convention (A/35/428, A/36/295 and Add.1, A/37/349, A/38/378, A/39/486, A/40/623, A/41/608, Add.1, A/42/627, A/43/605 and A/44/457).

II. CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

A. General information

The Convention on the Elimination of All Forms of Discrimination against Women was adopted by the General Assembly in its resolution 34/180 of 18 December 1979. It entered into force on 3 September 1981, in accordance with article 27. The status of the Convention as of 1 September 1989 is as follows:

<u>State</u>	<u>Date of signature</u>	<u>Date of receipt the instrument of ratification or accession a/</u>
Afghanistan	14 August 1980	
Angola		17 September 1986 a/
Antigua and Barbuda		1 August 1989 a/
Argentina	17 July 1980	15 July 1985
Australia	17 July 1980	28 July 1983
Austria	17 July 1980	31 March 1982
Bangladesh		6 November 1984 a/
Barbados	24 July 1980	16 October 1980
Belgium	17 July 1980	10 July 1985
Benin	11 November 1981	
Bhutan	17 July 1980	31 August 1981
Bolivia	30 May 1980	
Brazil	31 March 1981	1 February 1984
Bulgaria	17 July 1980	8 February 1982
Burundi	17 July 1980	
Byelorussian Soviet Socialist Republic	17 July 1980	4 February 1981
Cameroon	6 June 1983	
Canada	17 July 1980	10 December 1981
Cape Verde		5 December 1980 a/
Chile	17 July 1980	
China	17 July 1980	4 November 1980
Colombia	17 July 1980	19 January 1982
Congo	29 July 1980	26 July 1982
Costa Rica	17 July 1980	4 April 1986
Côte d'Ivoire	17 July 1980	
Cuba	6 March 1980	17 July 1980
Cyprus		23 July 1985 a/
Czechoslovakia	17 July 1980	16 February 1982

<u>State</u>	<u>Date of signature</u>	<u>Date of receipt the instrument of ratification or accession a/</u>
Democratic Kampuchea	17 October 1980	
Democratic Yemen		30 May 1984 a/
Denmark	17 July 1980	21 April 1983
Dominica	15 September 1980	15 September 1980
Dominican Republic	17 July 1980	2 September 1982
Ecuador	17 July 1980	9 November 1981
Egypt	16 July 1980	18 September 1981
El Salvador	14 November 1980	19 August 1981
Equatorial Guinea		23 October 1984 a/
Ethiopia	8 July 1980	10 September 1981
Finland	17 July 1980	4 September 1986
France	17 July 1980	14 December 1983
Gabon	17 July 1980	21 January 1983
Gambia	29 July 1980	
German Democratic Republic	25 June 1980	9 July 1980
Germany, Federal Republic of	17 July 1980	10 July 1985
Ghana	17 July 1980	2 January 1986
Greece	2 March 1982	7 June 1983
Grenada	17 July 1980	
Guatemala	8 June 1981	12 August 1982
Guinea	17 July 1980	9 August 1982
Guinea-Bissau	17 July 1980	23 August 1985
Guyana	17 July 1980	17 July 1980
Haiti	17 July 1980	20 July 1981
Honduras	11 June 1980	3 March 1983
Hungary	6 June 1980	22 December 1980
Iceland	24 July 1980	18 June 1985
India	30 July 1980	
Indonesia	29 July 1980	13 September 1984
Iraq		13 August 1986 a/
Ireland		23 December 1985 a/
Israel	17 July 1980	
Italy	17 July 1980	10 June 1985
Jamaica	17 July 1980	19 October 1984
Japan	17 July 1980	25 June 1985
Jordan	3 December 1980	
Kenya		9 March 1984 a/
Lao People's Democratic Republic	17 July 1980	14 August 1981
Lesotho	17 July 1980	
Liberia		17 July 1984 a/
Libyan Arab Jamahiriya		16 May 1989 a/
Luxembourg	17 July 1980	2 February 1989
Madagascar	17 July 1980	17 March 1989
Malawi		12 March 1987 a/
Mali	5 February 1985	10 September 1985
Mauritius		9 July 1984 a/
Mexico	17 July 1980	23 March 1981

<u>State</u>	<u>Date of signature</u>	<u>Date of receipt the instrument of ratification or accession a/</u>
Mongolia	17 July 1980	20 July 1981
Netherlands	17 July 1980	
New Zealand	17 July 1980	10 January 1985
Nicaragua	17 July 1980	27 October 1981
Nigeria	23 April 1984	13 June 1985
Norway	17 July 1980	21 May 1981
Panama	26 June 1980	29 October 1981
Paraguay		6 April 1987 a/
Peru	23 July 1981	13 September 1982
Philippines	15 July 1980	5 August 1981
Poland	29 May 1980	30 July 1980
Portugal	24 April 1980	30 July 1980
Republic of Korea	25 May 1983	27 December 1984
Romania	4 September 1980	7 January 1982
Rwanda	1 May 1980	2 March 1981
Saint Kitts and Nevis		25 April 1985 a/
Saint Lucia		8 October 1982 a/
Saint Vincent and the Grenadines		4 August 1981 a/
Senegal	29 July 1980	5 February 1985
Sierra Leone	21 September 1988	11 November 1988
Spain	17 July 1980	5 January 1984
Sri Lanka	17 July 1980	5 October 1981
Sweden	7 March 1980	2 July 1980
Switzerland	23 January 1987	
Thailand		9 August 1985 a/
Togo		26 September 1983 a/
Trinidad and Tobago	27 June 1985	
Tunisia	24 July 1980	20 September 1985
Turkey		20 December 1985 a/
Uganda	30 July 1980	22 July 1985
Ukrainian Soviet Socialist Republic	17 July 1980	12 March 1981
Union of Soviet Socialist Republics	17 July 1980	23 January 1981
United Kingdom of Great Britain and Northern Ireland	22 July 1981	7 April 1986
United Republic of Tanzania	17 July 1980	20 August 1985
United States of America	17 July 1980	
Uruguay	30 March 1981	9 October 1981
Venezuela	17 July 1980	2 May 1983
Viet Nam	29 July 1980	17 February 1982
Yugoslavia	17 July 1980	26 February 1982
Zaire	17 July 1980	17 October 1986
Zambia	17 July 1980	21 June 1985

B. Texts of reservations and declarations

ARGENTINA

/Original: Spanish/
/15 July 1985/
/A/40/623/

Reservation:

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

AUSTRALIA

/Original: English/
/28 July 1983/
/A/38/378/

Declaration:

"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."

Reservations:

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

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

"The Government of Australia advises that it does not accept the application of the Convention in so far as it would require alteration of Defence Force policy which excludes women from combat and combat-related duties. The Government of Australia is reviewing this policy so as to more closely define 'combat' and 'combat-related duties'."

AUSTRIA

/Original: English/
/31 March 1982/
/A/37/349/

far as service in the armed forces is concerned, and the provision of article 11, as far as night work of women and special protection of working women is concerned, within the limits established by national legislation."

BANGLADESH

/Original: English/
/6 November 1984/
/A/40/623/

"The Government of the People's Republic of Bangladesh does not consider as binding upon itself the provisions of articles 2, 13 (a) and 16.1 (c) and (f) as they conflict with Sharia law based on Holy Quran and Sunna."

BELGIUM

/Original: French/
/03 July 1985/
/A/40/623/

Reservations:

Article 7

The application of article 7 shall not affect the validity of the provisions of the constitution as laid down in article 60, which reserves for men the exercise of royal powers, and in article 58, which reserves for the sons of the King or, where there are none, for Belgian princes of the branch of the royal family in line to the throne, the function of ex officio senators as from the age of 18 years, with entitlement to vote as from the age of 25 Years.

Article 15, paragraphs 2 and 3

The application of article 15, paragraphs 2 and 3, shall not affect the validity of the interim provisions enacted for couples married before the entry into force of the Act of 14 July 1976 concerning the reciprocal rights and duties of husbands and wives and their marriage contracts, in cases where, in accordance with the option available to them under the Act, they have declared that they are maintaining in toto their prior marriage contracts.

BRAZIL

/Original: Portuguese/
/01 February 1984/
/A/39/486/

Reservations:

"The Government of the Federative Republic of Brazil hereby expresses its reservations to article 15, paragraph 4, and to article 16, paragraphs 1 (a), (c), (g) and (h) of the Convention on the Elimination of All Forms of Discrimination Against Women.

"Furthermore, Brazil does not consider itself bound by article 29, paragraph 1, of the abovementioned Convention."

BULGARIA

/Original: English/
/08 February 1982/
/A/37/349/

Reservation:

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

CANADA

/Original: English/
/10 December 1981/

"The Government of Canada states that the competent legislative authorities within Canada have addressed the concept of equal pay referred to in article 11 (1) (d) by legislation which requires the establishment of rates of remuneration without discrimination on the basis of sex. The competent legislative authorities within Canada will continue to implement the object and purpose of article 11 (1) (d) and to that end have developed, and where appropriate will continue to develop, additional legislative and other measures."

CHINA

/Original: Chinese/
/04 November 1980/
/A/36/295/

Declaration:

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

CUBA

/Original: Spanish/
/17 July 1980/
/A/35/428/

Reservation:

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

CYPRUS

/Original: English/
/23 July 1985/
/A/40/623/

Reservation:

"In depositing this Instrument of Accession, the Government of the Republic of Cyprus wishes to enter a reservation concerning the nationality of their children, mentioned in Article 9 paragraph 2 of the Convention. This reservation is to be withdrawn upon amendment of the relevant Law"

CZECHOSLOVAKIA

/Original: English/
/16 February 1982/
/A/37/349/

Reservation:

"The Czechoslovak Socialist Republic, in accordance with paragraph 2, article 29, of the Convention on the Elimination of All Forms of Discrimination against Women, does not consider itself to be bound under paragraph 1 of its article 29. In the opinion of Czechoslovakia, any disputes concerning the interpretation or implementation of this Convention should be solved by direct negotiations between the parties to the dispute or in another manner to be agreed upon by the parties to the dispute."

DEMOCRATIC YEMEN

/Original: Arabic/
/30 May 1984/
/A/39/486/

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

EGYPT

/Original: Arabic/
/18 September 1981/
/A/37/349/

Reservations:

Article 9

Reservation to the text of article 9, paragraph 2, concerning the granting of women of equal rights with men with respect to the nationality of their children. This must be without prejudice to the acquisition by a child born of a marriage of the nationality of his father. This is in order to prevent a

child's acquisition of two nationalities, since this may be prejudicial to his future. It is clear that the child's acquisition of his father's nationality is the procedure most suitable for the child and that this does not infringe upon the principle of equality between men and women, since it is the custom for a woman to agree, on marrying an alien, that her children shall be of the father's nationality.

Article 16

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

Article 29

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

General reservation on article 2

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

EL SALVADOR

/Original: Spanish/
/19 August 1981/
/A/37/349/

Reservation:

The Government of El Salvador made a reservation with regard to the application of the provisions of article 29, paragraph 1 of the Convention.

ETHIOPIA

/Original: English/
/10 September 1981/
/A/37/349/

Reservation:

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

FRANCE*

/Original: French/
/14 December 1983/
/A/39/486/

Declarations:

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

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

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

Reservations:

Article 5 (b)

1. The Government of the French Republic declares that article 5 (b) must not be interpreted as implying joint exercise of parental authority in situations in which French legislation allows of such exercise by only one parent.

Article 14

1. The Government of the French Republic declares that article 14, paragraph 2 (c), should be interpreted as guaranteeing that women who fulfill the conditions relating to family or employment required by French legislation for personal participation shall acquire their own rights within the framework of social security.

2. The Government of the French Republic declares that article 14, paragraph (2) (h), of the Convention should not be interpreted as implying the actual provision, free of charge, of the services mentioned in that paragraph.

Article 16, 1 (g)

The Government of the French Republic enters a reservation concerning the right to choose a family name mentioned in article 16, paragraph 1 (g), of the Convention.

Article 29

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

GERMAN DEMOCRATIC REPUBLIC

/Original: English/
/09 July 1980/
/A/35/428/

Declaration:

The German Democratic Republic declares, pursuant to article 29, paragraph 2, of the Convention that it does not consider itself bound by article 29, paragraph 1.

GERMANY, FEDERAL REPUBLIC OF

/Original: English/
/10 July 1985/
/A/40/623/

Declaration:

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

*/ See section III. Withdrawals of reservations.

Reservation:

Article 7 (b) will not be applied to the extent that it contradicts the second sentence of Article 12 a (4) of the Basic Law of the Federal Republic of Germany. Pursuant to this provision of the Constitution, women may on no account render service involving the use of arms.

HUNGARY

/Original: English/
/13 January 1981/
/A/36/295/

Reservation:

"The Hungarian People's Republic declares that it does not consider itself bound by the terms of article 29, paragraph 1, of the Convention."

INDONESIA

/Original: English/
/13 September 1984/
/A/40/623/

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

IRAQ

/Original: Arabic/
/13 August 1986/
/A/41/608/

Reservations:

1. Approval of and accession to this Convention shall not mean that the Republic of Iraq is bound by the provisions of article 2, paragraphs (f) and (g), of article 9, paragraphs 1 and 2, nor of article 16 of the Convention. The reservations to this last-mentioned article shall be without prejudice to the provisions of the Islamic Shariah according women rights equivalent to the rights of their spouses so as to ensure a just balance between them. Iraq also enters a reservation to article 29, paragraph 1, of this Convention with regard to the principle of international arbitration in connection with the interpretation or application of this Convention.

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

IRELAND*/

/Original: English/
/23 December 1985/
/A/41/608/

Reservations:

Articles 13(b) and (c)

The question of supplementing the guarantee of equality contained in the Irish Constitution with special legislation governing access to financial credit and other services and recreational activities, where these are provided by private persons, organizations or enterprises is under consideration. For the time being Ireland reserves the right to regard its existing law and measures in this area as appropriate for the attainment in Ireland of the objectives of the Convention.

Article 15

With regard to paragraph 3 of this Article, Ireland reserves the right not to supplement the existing provisions in Irish law which accord women a legal capacity identical to that of men with further legislation governing the validity of any contract or other private instrument freely entered into by a woman.

Articles 16, 1 (d) and (f)

Ireland is of the view that the attainment in Ireland of the objectives of the Convention does not necessitate the extension to men of rights identical to those accorded by law to women in respect of the guardianship, adoption and custody of children born out of wedlock and reserves the right to implement the Convention subject to that understanding.

Articles 11 (1) and 13(a)

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

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

*/ See section III. Withdrawals of reservations.

JAMAICA

/Original: English/

/19 October 1984/

/A/40/623/

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

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

LIBYAN ARAB JAMAHIRIYA

/Original: Arabic/

/16 May 1989/

/A/44/457/

Reservation:

The accession is subject to the general reservation that there should be no conflict between such accession and the laws on personal status derived from the Islamic Shariah.

LUXEMBOURG

/Original: French/

/2 February 1989/

/A/44/457/

Reservations:

The application of article 7 shall not affect the validity of the article of our Constitution concerning the hereditary transmission of the crown of the Grand Duchy of Luxembourg, in accordance with the family compact of the house of Nassau of 30 June 1783, maintained by article 71 of the Treaty of Vienna of 9 June 1815 and expressly maintained by article 1 of the Treaty of London of 11 May 1867.

The application of paragraph 1 (g) of article 16 of the Convention shall not affect the right to choose the family name of children.

MALAWI

/Original: English/

/12 March 1987/

/A/42/627/

"Owing to the deep-rooted nature of some traditional customs and practices of Malawians, the Government of the Republic of Malawi shall not, for the time being consider itself bound by such of the provisions of the Convention as require immediate eradication by such traditional customs and practices.

"While the Government of the Republic of Malawi accepts the principles of Article 29, paragraph 2 of the Convention, this acceptance should nonetheless be read in conjunction with its declaration of 12 December 1966 concerning the recognition, by the Government of the Republic of Malawi, as compulsory the jurisdiction of the International Court of Justice under Article 36, paragraph 2 of the Statute of the Court."

MAURITIUS

/Original: English/
/09 July 1984/
/A/39/486/

"The Government of Mauritius does not consider itself bound by sub-paragraph (b) and (d) of paragraph 1 of article 11 and sub-paragraph (g) of paragraph 1 of article 16.

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

MONGOLIA

/Original: English/
/20 July 1981/
/A/36/295/Add.1/

Reservation:

The Mongolian People's Republic does not consider itself bound by the provisions of paragraph 1 of article 29 of this Convention and states that for submission of any dispute concerning the interpretation or application of the Convention to arbitration or to the International Court of Justice the consent of all the parties involved in the given dispute is necessary.

NEW ZEALAND

/Original: English/
/10 January 1985/
/A/40/623/

Reservations:

"The instrument of ratification indicates that in accordance with the special relationships which exist between New Zealand and the Cook Islands and between New Zealand and Niue, there have been consultations regarding the Convention between the Government of New Zealand and the Government of the Cook Islands and between the Government of New Zealand and the Government of Niue; that the Government of the Cook Islands, which has exclusive competence to implement treaties in the Cook Islands, has requested that the Convention should extend to the Cook Islands; that the Government of Niue which has exclusive competence to implement treaties in Niue, has requested that the Convention should extend to Niue. The said instrument specifies that accordingly the Convention shall apply also to the Cook Islands and Niue. Furthermore, the said instrument contains the following reservations:

"The Government of New Zealand, the Government of the Cook Islands and the Government of Niue reserve the right not to apply the provisions of the Convention in so far as they are inconsistent with policies relating to recruitment into or service in

"(a) the Armed Forces which reflect either directly or indirectly the fact that members of such forces are required to serve on armed forces aircraft or vessels and in situations involving armed combat

"or

"(b) the law enforcement forces which reflect either directly or indirectly the fact that members of such forces are required to serve in situations involving violence or threat of violence.

"The Government of New Zealand, the Government of the Cook Islands and the Government of Niue reserve the right, to the extent the Convention is inconsistent with the provisions of the Convention concerning the Employment of Women on Underground Work in Mines of all Kinds (ILO Convention No. 45) which was ratified by the Government of New Zealand on 29 March 1983, to apply the provisions of the latter.

"The Government of the Cook Islands reserves the right not to apply article 2 (f) and article 5 (a) to the extent that the customs governing the inheritance of certain Cook Islands chiefly titles may be inconsistent with those provisions."

POLAND

/Original: English/
/30 July 1980/
/A/35/428/

Reservation:

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

REPUBLIC OF KOREA

/Original: English/
/27 December 1984/
/A/40/623/

Reservation:

"The Government of the Republic of Korea, having examined the said Convention, hereby ratifies the Convention considering itself not bound by the provisions of article 9 and sub-paragraphs (c), (d), (f) and (g) of paragraph 1 of article 16 of the Convention."

ROMANIA

/Original: French/

/07 January 1982/

/A/37/349/

Reservations:

1. The Socialist Republic of Romania states that it does not consider itself bound by the provisions of article 29, paragraph 1, of the Convention, whereby any dispute between two or more States parties concerning the interpretation or application of the Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration.

2. Romania believes that such disputes may be submitted to arbitration only with the consent of all States parties to the dispute, for each specific case.

SPAIN

/Original: Spanish/

/05 January 1984/

/A/39/486/

Declaration:

The ratification of the Convention by Spain shall not affect the constitutional provisions concerning succession to the Spanish crown.

THAILAND

/Original: English/

/09 August 1985/

/A/41/608/

Declaration:

The Royal Thai Government wishes to express its understanding that the purposes of the Convention are to eliminate discrimination against women and to accord to every person, men and women alike, equality before the law, and are in accordance with the principles prescribed by the Constitution of the Kingdom of Thailand.

Reservations:

1. In all matters which concern national security maintenance of public order and service or employment in the military or paramilitary forces, the Royal Thai Government reserves its right to apply the provisions of the Convention on the Elimination of All Forms of Discrimination against Women, in particular Articles 7 and 10, only within the limits established by national laws, regulations and practices.

2. With regard to Article 9, paragraph 2, and Article 11, paragraph 1 (b), as far as night work of women and special protection of working women are concerned, the Royal Thai Government considers that the application of the said provisions shall be subject to the limits and criteria established by national laws, regulations and practices.

3. The Royal Thai Government does not consider itself bound by the provisions of Article 15, paragraph 3, Article 16 and Article 29, paragraph 1, of the Convention.

TUNISIA

/Original: Arabic/
/20 September 1985/
/A/41/608/

1. General declaration

The Tunisian Government declares that it shall not take any organizational or legislative decision in conformity with the requirements of this Convention where such a decision would conflict with the provisions of chapter I of the Tunisian Constitution.

2. Reservation concerning article 9, paragraph 2

The Tunisian Government expresses its reservation with regard to the provisions in article 9, paragraph 2 of the Convention, which must not conflict with the provisions of chapter VI of the Tunisian Nationality Code.

3. Reservation concerning article 16, paragraphs (c), (d), (f), (g) and (h)

The Tunisian Government considers itself not bound by article 16, paragraphs (c), (d) and (f), of the Convention and declares that paragraphs (g) and (h) of that article must not conflict with the provisions of the Personal Status Code concerning the granting of family names to children and the acquisition of property through inheritance.

4. Reservation concerning article 29, paragraph 1

The Tunisian Government declares, in conformity with the requirements of article 29, paragraph 2 of the Convention, that it shall not be bound by the provisions of paragraph 1 of that article, which specify that any dispute between two or more States Parties concerning the interpretation or application of the present Convention which is not settled by negotiation shall be referred to the International Court of Justice at the request of any one of those parties.

The Tunisian Government considers that such disputes should be submitted for arbitration or consideration by the International Court of Justice only with the consent of all parties to the dispute.

5. Declaration concerning article 15, paragraph 4

In accordance with the provisions of the Vienna Convention on the Law of Treaties, dated 23 May 1969, the Tunisian Government emphasizes that the requirements of article 15, paragraph 4, of the Convention on the Elimination of All Forms of Discrimination against Women, and particularly that part relating to the right of women to choose their residence and domicile, must not be interpreted in a manner which conflicts with the provisions of the Personal Status Code on this subject, as set forth in chapters 23 and 61 of the Code.

TURKEY

/Original: English/
/20 December 1985/
/A/41/608/

Reservations:

The Government of the Republic of Turkey (makes reservations) with regard to the Articles of the Convention dealing with family relations which are not completely compatible with the provisions of the Turkish Civil Code, in particular, Article 15, paragraphs 2 and 4, and Article 16, paragraphs 1(c), (d), (f) and (g), as well as with respect to Article 29, paragraph 1. In pursuance of Article 29, paragraph 2 of the Convention, the Government of the Republic of Turkey declares that it does not consider itself bound by paragraph 1 of this Article.

Declaration:

"The Government of the Republic of Turkey declares that Article 9, paragraph 1 of the Convention is not in conflict with the provisions of Article 5, paragraph 1, and Article 15 and 17 of the Turkish Law on Nationality, relating to the acquisition of citizenship, since the intent of those provisions regulating acquisition of citizenship through marriage is to prevent statelessness."

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

/Original: English/
/7 April 1986/
/A/41/608/

Reservations and declarations on behalf of the United Kingdom:

"(a) The United Kingdom understands the main purpose of the Convention, in the light of the definition contained in Article 1, to be the reduction, in accordance with its terms, of discrimination against women, and does not therefore regard the Convention as imposing any requirement to repeal or modify any existing laws, regulations, customs or practices which provide for women to be treated more favourably than men, whether temporarily or in the longer term; the United Kingdom's undertakings under Article 4, paragraph 1, and other provisions of the Convention are to be construed accordingly.

"(b) The United Kingdom reserves the right to regard the provisions of the Sex Discrimination Act 1975, the Employment Protection (Consolidation) Act 1978, the Employment Act 1980, the Sex Discrimination (Northern Ireland) Order 1976, the Industrial Relations (No 2) (Northern Ireland) Order 1976, the Industrial Relations (Northern Ireland) order 1982, the Equal Pay Act 1970 (as amended) and the Equal Pay Act (Northern Ireland) 1970 (as amended), including the exceptions and exemptions contained in any of these Acts and Orders, as constituting appropriate measures for the practical realisation of the objectives of the Convention in the social and economic circumstances of the United Kingdom, and to continue to apply these provisions accordingly; this reservation will apply equally to any future legislation which may modify or replace the above Acts and Orders on the understanding that the terms of such legislation will be compatible with the United Kingdom's obligations under the Convention.

"(c) In the light of the definition contained in Article 1, the United Kingdom's ratification is subject to the understanding that none of its obligations under the Convention shall be treated as extending to the succession to, or possession and enjoyment of, the Throne, the peerage, titles of honour, social precedence or armorial bearings, or as extending to the affairs of religious denominations or orders or to the admission into or service in the Armed forces of the Crown.

"(d) The United Kingdom reserves the right to continue to apply such immigration legislation governing entry into, stay in, and departure from, the United Kingdom as it may deem necessary from time to time and, accordingly, its acceptance of Article 15 (4) and of the other provisions of the Convention is subject to the provisions of any such legislation as regards persons not at the time having the right under the law of the United Kingdom to enter and remain in the United Kingdom.

ARTICLE 1

"With reference to the provisions of the Sex Discrimination Act 1975 and other applicable legislation, the United Kingdom's acceptance of Article 1 is subject to the reservation that the phrase "irrespective of their marital status" shall not be taken to render discriminatory any difference of treatment accorded to single persons as against married persons, so long as there is equality of treatment as between married men and married women and as between single men and single women.

ARTICLE 2

"In the light of the substantial progress already achieved in the United Kingdom in promoting the progressive elimination of discrimination against women, the United Kingdom reserves the right, without prejudice to the other reservations made by the United Kingdom, to give effect to paragraphs (f) and (g) by keeping under review such of its laws and regulations as may still embody significant differences in treatment between men and women with a view to making changes to those laws and regulations when to do so would be compatible with essential and overriding considerations of economic policy. In relation to forms of discrimination more precisely prohibited by other provisions of the Convention, the obligations under this Article must (in the

case of the United Kingdom) be read in conjunction with the other reservations and declarations made in respect of those provisions including the declarations and reservations of the United Kingdom contained in paragraphs (a) - (d) above.

"With regard to paragraphs (f) and (g) of this Article the United Kingdom reserves the right to continue to apply its law relating to sexual offences and prostitution; this reservation will apply equally to any future law which may modify or replace it.

ARTICLE 9

"The British Nationality Act 1981, which was brought into force with effect from January 1983, is based on principles which do not allow of any discrimination against women within the meaning of Article 1 as regards acquisition, change or retention of their nationality or as regards the nationality of their children. The United Kingdom's acceptance of Article 9 shall not, however, be taken to invalidate the continuation of certain temporary or transitional provisions which will continue in force beyond that date.

"The United Kingdom reserves the right to take such steps as may be necessary to comply with its obligations under Article 2 of the First Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms signed at Paris on 20 March 1952 and its obligations under paragraph 3 of Article 13 of the International Covenant on Economic, Social and Cultural Rights opened for signature at New York on 19 December 1966, to the extent that the said provisions preserve the freedom of parental choice in respect of the education of children; and reserves also the right not to take any measures which may conflict with its obligation under paragraph 4 of Article 13 of the said Covenant not to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject to the observation of certain principles and standards.

"Moreover, the United Kingdom can only accept the obligations under paragraph (c) of Article 10 within the limits of the statutory powers of Central Government, in the light of the fact that the teaching curriculum, the provision of text-books and teaching methods are reserved for local control and are not subject to central Government direction; moreover, the acceptance of the objective of encouraging co-education is without prejudice to the right of the United Kingdom also to encourage other types of education.

ARTICLE 11

"The United Kingdom interprets the "right to work" referred to in paragraph 1 (a) as a reference to the "right to work" as defined in other human rights instruments to which the United Kingdom is a party, notably Article 6 of the International Covenant on Economic, Social and Cultural Rights of 19 December 1966.

"The United Kingdom interprets paragraph 1 of Article 11, in the light of the provisions of paragraph 2 of Article 4, as not precluding prohibitions, restrictions or conditions on the employment of women in certain areas, or on the work done by them, where this is considered necessary or desirable to protect the health and safety of women or the human foetus, including such prohibitions, restrictions or conditions imposed in consequence of other international obligations of the United Kingdom; the United Kingdom declares that, in the event of a conflict between obligations under the present Convention and its obligations under the Convention concerning the employment of women on underground work in mines of all kinds (ILO Convention No. 45), the provisions of the last mentioned Convention shall prevail.

"The United Kingdom reserves the right to apply all United Kingdom legislation and the rules of pension schemes affecting retirement pensions, survivors' benefits and other benefits in relation to death or retirement (including retirement on grounds of redundancy), whether or not derived from a Social Security scheme.

"This reservation will apply equally to any future legislation which may modify or replace such legislation, or the rules of pension schemes, on the understanding that the terms of such legislation will be compatible with the United Kingdom's obligations under the Convention.

"The United Kingdom reserves the right to apply the following provisions of United Kingdom legislation concerning the benefits specified:

"a) social security benefits for persons engaged in caring for a severely disabled person under section 37 of the Social Security Act 1975 and section 37 of the Social Security (Northern Ireland) Act 1975;

"b) increases of benefit for adult dependants under sections 44 to 47, 49 and 66 of the Social Security Act 1975 and under sections 44 to 47, 49 and 66 of the Social Security (Northern Ireland) Act 1975;

"c) retirement pensions and survivors' benefits under the Social Security Acts 1975 to 1982 and the Social Security (Northern Ireland) Acts 1975 to 1982;

"d) family income supplements under the Family Income Supplements Act 1970 and the Family Income Supplements Act (Northern Ireland) 1971.

"This reservation will apply equally to any future legislation which may modify or replace any of the provisions specified in sub-paragraphs (a) to (d) above, on the understanding that the terms of such legislation will be compatible with the United Kingdom's obligations under the Convention.

"The United Kingdom reserves the right to apply any non-discriminatory requirement for a qualifying period of employment or insurance for the application of the provisions contained in Article 11 (2).

ARTICLE 13

"The United Kingdom reserves the right, notwithstanding the obligations undertaken in Article 13, or any other relevant article of the Convention, to continue to apply the income tax and capital gains tax legislation which:

- i) deems for income tax purposes the income of a married women living with her husband in a year, or part of a year, of assessment to be her husband's income and not to be her income (subject to the right of the husband and the wife to elect jointly that the wife's earned income shall be charged to income tax as if she were a single woman with no other income); and
- ii) requires tax in respect of such income and of chargeable gains accruing to such a married woman to be assessed on her husband (subject to the right of either of them to apply for separate assessment) and consequently (if no such application is made) restricts to her husband the right to appeal against any such assessment and to be heard or to be represented at the hearing of any such appeal; and
- iii) entitles a man who has his wife living with him, or whose wife is wholly maintained by him, during the year of assessment to a deduction from his total income of an amount larger than that to which an individual in any other case is entitled and entitles an individual whose total income includes any earned income of his wife to have that deduction increased by the amount of that earned income or by an amount specified in the legislation whichever is the less.

ARTICLE 15

"In relation to Article 15, paragraph 2, the United Kingdom understands the term "legal capacity" as referring merely to the existence of a separate and distinct legal personality.

"In relation to Article 15, paragraph 3, the United Kingdom understands the intention of this provision to be that only those terms or elements of a contract or other private instrument which are discriminatory in the sense described are to be deemed null and void, but not necessarily the contract or instrument as a whole.

ARTICLE 16

"As regards sub-paragraph 1 (f) of Article 16, the United Kingdom does not regard the reference to the paramountcy of the interests of the children as being directly relevant to the elimination of discrimination against women, and declares in this connection that the legislation of the United Kingdom regulating adoption, while giving a principal position to the promotion of the children's welfare, does not give to the child's interests the same paramount place as in issues concerning custody over children.

"The United Kingdom's acceptance of paragraph 1 of Article 16 shall not be treated as either limiting the freedom of a person to dispose of his property as he wishes or as giving a person a right to property the subject of such a limitation;

Reservations and declarations on behalf of the Isle of Man, the British Virgin Islands, the Falkland Islands, South Georgia and the South Sandwich Islands, and Turks and Caicos Islands:

"(a) The United Kingdom understands the main purpose of the Convention, in the light of the definition contained in Article 1, to be the reduction, in accordance with its terms, of discrimination against women, and does not therefore regard the Convention as imposing any requirements to repeal or modify any existing laws, regulations, customs or practices which provide for women to be treated more favourably than men, whether temporarily or in the longer term; the United Kingdom's undertakings under Article 4, paragraph 1, and other provisions of the Convention are to be construed accordingly.

"(b) In the light of the definition contained in Article 1, the United Kingdom's ratification is subject to the understanding that none of its obligations under the Convention shall be treated as extending to the succession to, or possession and enjoyment of, the Throne, the peerage, titles of honour, social precedence or armorial bearings, or as extending to the affairs of religious denominations or orders or to the admission into or service in the Armed Forces of the Crown.

"(c) The United Kingdom reserves the right to continue to apply such immigration legislation governing entry into, stay in, and departure from, these territories, as it may deem necessary from time to time and, accordingly, its acceptance of Article 15 (4) and of the other provisions of the Convention is subject to the provisions of any such legislation as regards persons not at the time having the right under the law of these territories to enter and remain in these territories.

ARTICLE 1

"The United Kingdom's acceptance of Article 1 is subject to the reservation that the phrase "irrespective of their marital status" shall not be taken to render discriminatory any difference of treatment accorded to single persons as against married persons, so long as there is equality, of treatment as between married men and married women and as between single men and single women.

ARTICLE 2

"In the light of the substantial progress already achieved in these territories in promoting the progressive elimination of discrimination against women, the United Kingdom reserves the right, without prejudice to the other reservations made by the United Kingdom, to give effect to paragraphs (f) and (g) by keeping under review such of the laws and regulations of these territories as may still embody significant differences in treatment between men and women with a view to making changes to those laws and regulations when to do so would be compatible with essential and overriding considerations

of economic policy. In relation to forms of discrimination more precisely prohibited by other provisions of the Convention, the obligations under this Article must (in the case of these territories) be read in conjunction with the other reservations and declarations made in respect of those provisions including the declarations and reservations of the United Kingdom contained in paragraphs (a) - (d) above.

"With regard to paragraphs (f) and (g) of this Article the United Kingdom reserves the right to continue to apply the laws of these territories relating to sexual offences and prostitution; this reservation will apply equally to any future law which may modify or replace them.

ARTICLE 9

"The British Nationality Act 1981, which was brought into force with effect from January 1983, is based on principles which do not allow of any discrimination against women within the meaning of Article 1 as regards acquisition, change or retention of their nationality or as regards the nationality of their children. The United Kingdom's acceptance of Article 9 shall not, however, be taken to invalidate the continuation of certain temporary or transitional provisions which will continue in force beyond that date.

"The United Kingdom reserves the right to take such steps as may be necessary to comply with its obligations under Article 2 of the First Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms signed at Paris on 20 March 1952 and its obligations under paragraph 3 of Article 13 of the International Covenant on Economic, Social and Cultural Rights opened for signature at New York on 19 December 1966, to the extent that the said provisions preserve the freedom of parental choice in respect of the education of children; and reserves also the right not to take any measures which may conflict with its obligation under paragraph 4 of Article 13 of the said Covenant not to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject to the observation of certain principles and standards.

"Moreover, the United Kingdom can only accept the obligations under paragraph (c) of Article 10 within the limits of the statutory powers of central Government, in the light of the fact that the teaching curriculum, the provision of text-books and teaching methods are reserved for local control and are not subject to central Government direction; moreover, the acceptance of the objective of encouraging co-education is without prejudice to the right of the United Kingdom also to encourage other types of education.

ARTICLE 11

"The United Kingdom interprets the "right to work" referred to in paragraph 1 (a) as a reference to the "right to work" as defined in other human rights instruments to which the United Kingdom is a party, notably Article 6 of the International Covenant on Economic, Social and Cultural Rights of 19 December 1966.

"The United Kingdom interprets paragraph 1 of Article 11, in the light of the provisions of paragraph 2 of Article 4, as not precluding prohibitions, restrictions or conditions on the employment of women in certain areas, or on the work done by them, where this is considered necessary or desirable to protect the health and safety of women or the human foetus, including such prohibitions, restrictions or conditions imposed in consequence of other international obligations of the United Kingdom; the United Kingdom declares that, in the event of a conflict between obligations under the present Convention and its obligations under the Convention concerning the employment of women on underground work in mines of all kinds (ILO Convention No. 45), the provisions of the last mentioned Convention shall prevail.

"The United Kingdom reserves the right to apply all these territories' legislation and the rules of pension schemes affecting retirement pensions, survivors's benefits and other benefits in relation to death or retirement (including retirement on grounds of redundancy), whether or not derived from a Social Security scheme.

"This reservation will apply equally to any future legislation which may modify or replace such legislation, or the rules of pension schemes, on the understanding that the terms of such legislation will be compatible with the United Kingdom's obligations under the Convention.

"The United Kingdom reserves the right to apply the provisions of these territories' legislation concerning the benefits specified:

- "a) social security benefits for persons engaged in caring for a severely disabled person;
- "b) increases of benefit for adult dependants;
- "c) retirement pensions and survivors' benefits;
- "d) family income supplements.

"This reservation will apply equally to any future legislation which may modify or replace any of the provisions specified in sub-paragraphs (a) to (d) above, on the understanding that the terms of such legislation will be compatible with the United Kingdom's obligations under the Convention.

"The United Kingdom reserves the right to apply any non-discriminatory requirement for a qualifying period of employment or insurance for the application of the provisions contained in Article 11 (2).

ARTICLE 13

"The United Kingdom reserves the right, notwithstanding the obligations undertaken in Article 13, or any other relevant article of the Convention, to continue to apply the income tax and capital gains tax legislation which:

- i) deems for income tax purposes the income of a married woman living with her husband in a year, or part of a year, of assessment to be her husband's income and not to be her income (subject to the right of the husband and wife to elect jointly that the wife's earned income shall be charged to income tax as if she were a single woman with no other income); and
- ii) requires tax in respect of such income and of chargeable gains accruing to such a married woman to be assessed on her husband (subject to the right of either of them to apply for separate assessment) and consequently (if no such application is made) restricts to her husband the right to appeal against any such assessment and to be heard or to be represented at the hearing of any such appeal; and
- iii) entitles a man who has his wife living with him, or whose wife is wholly maintained by him, during the year of assessment to a deduction from his total income of an amount larger than that to which an individual in any other case is entitled and entitles an individual whose total income includes any earned income of his wife to have that deduction increased by the amount of that earned income or by an amount specified in the legislation whichever is the less.

ARTICLE 15

"In relation to Article 15, paragraph 2, the United Kingdom understands the term "legal capacity" as referring merely to the existence of a separate and distinct legal personality.

"In relation to Article 15, paragraph 3, the United Kingdom understands the intention of this provision to be that only those terms or elements of a contract or other private instrument which are discriminatory in the sense described are to be deemed null and void, but not necessarily the contract or instrument as a whole.

ARTICLE 16

"As regards sub-paragraph 1 (f) of Article 16, the United Kingdom does not regard the reference to the paramountcy of the interests of the children as being directly relevant to the elimination of discrimination against women, and declares in this connection that the legislation of these territories regulating adoption, while giving a principal position to the promotion of the children's welfare, does not give to the child's interests the same paramount place as in issues concerning custody over children.

"The United Kingdom's acceptance of paragraph 1 of Article 16 shall not be treated as either limiting the freedom of a person to dispose of his property as he wishes or as giving a person a right to property the subject of such a limitation."

VENEZUELA

/Original: Spanish/
/02 May 1983/
/A/38/378/

Reservation:

Venezuela makes a formal reservation with regard to article 29, paragraph 1, of the Convention, since it does not accept arbitration or the jurisdiction of the International Court of Justice for the settlement of disputes concerning the interpretation or application of this Convention.

VIET NAM

/Original: French/
/17 February 1982/
/A/37/349/

Reservation:

The Socialist Republic of Viet Nam will not be bound by the provisions of paragraph 1 of article 29.

C. Objections to certain reservations and declarations*

OBJECTION BY MEXICO TO A RESERVATION MADE BY BANGLADESH
UPON ACCESSION

/Original: Spanish/
/11 January 1985/
/A/40/623/

"The Government of the United Mexican States has studied the substance of the reservations of Bangladesh to articles 2, 13 (a), and 16, paragraph 1 (c) and (f), of the Convention and has concluded that, in the light of article 28, paragraph 2, of the Convention itself, those reservations should be considered invalid as being incompatible with the object and purpose of the Convention.

"Indeed, these reservations, if implemented, would inevitably result in discrimination against women by reason of their sex, contrary to the entire intent of the Convention. The principles of equality between men and women and of non-discrimination on the basis of sex are enshrined in the second preambular paragraph and in Article 1, paragraph 3, of the Charter of the United Nations - and Bangladesh has accepted the obligations contained therein - as well as in other internationally recognized instruments.

*/ In chronological order.

"The objection of the Government of Mexico to the reservations in question should not be interpreted as preventing the entry into force of the 1979 Convention between Mexico and Bangladesh."

OBJECTION BY MEXICO TO A RESERVATION MADE BY JAMAICA UPON RATIFICATION

/Original: Spanish/
/21 February 1985/
/A/40/623/

"The Government of the United Mexican States has studied the substance of the reservation of Jamaica to article 9, paragraph 2, of the Convention and has concluded that, in the light of article 28, paragraph 2, of the Convention itself, the reservation should be considered invalid as being incompatible with the object and purpose of the Convention.

"Indeed, this reservation, if implemented, would inevitably result in discrimination against women by reason of their sex, contrary to the entire intent of the Convention. The principles of equality between men and women and of non-discrimination on the basis of sex are enshrined in the second preambular paragraph and in Article 1, paragraph 3, of the Charter of the United Nations, as well as in articles 2 and 16 of the Universal Declaration of Human Rights, of 1948, which had already been accepted by the Government of Jamaica when it ratified the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and the Charter of the Organization of American States.

"The objection of the Government of Mexico to the reservation in question should not be interpreted as preventing the entry into force of the 1979 Convention between Mexico and Jamaica."

OBJECTION BY MEXICO TO RESERVATIONS MADE BY MAURITIUS UPON ACCESSION

/Original: Spanish/
/21 February 1985/
/A/40/623/

"The Government of the United Mexican States has studied the content of the reservations made by Mauritius to article 11, paragraph 1 (b) and (d), and article 16, paragraph 1 (g), of the Convention and has concluded that they should be considered invalid in the light of article 28, paragraph 2, of the Convention, because they are incompatible with its object and purpose.

"Indeed, these reservations, if implemented, would inevitably result in discrimination against women on the basis of sex, which is contrary to all the articles of the Convention. The principles of equal rights of men and women and non-discrimination on the basis of sex, which are embodied in the second preambular paragraph and Article 1, paragraph 3, of the Charter of the United Nations, to which Mauritius is a signatory, and in articles 2 and 16 of the Universal Declaration of Human Rights of 1948, were previously accepted by the Government of Mauritius when it acceded, on 12 December 1973, to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. The above principles were stated in article 2, paragraph 1, and article 3 of the former Covenant and in article 2, paragraph 2, and article 3 of the latter. Consequently, it is inconsistent with these contractual obligations previously assumed by

Mauritius for its Government now to claim that it has reservations, on the same subject, about the 1979 Convention.

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

OBJECTION BY MEXICO TO RESERVATIONS MADE BY THE REPUBLIC OF KOREA
UPON RATIFICATION

/Original: Spanish/
/6 June 1985/
/A/40/623/

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

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

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

OBJECTION BY THE FEDERAL REPUBLIC OF GERMANY TO RESERVATIONS
MADE BY BANGLADESH AND MAURITIUS UPON ACCESSION AND BY BRAZIL,
EGYPT, JAMAICA AND THE REPUBLIC OF KOREA UPON RATIFICATION

/Original: English/
/10 July 1985/
/A/40/623/

"The Federal Republic of Germany considers that the reservations made by Egypt regarding article 2, article 9, paragraph 2, and article 16, by Bangladesh regarding article 2, article 13 (a) and article 16, paragraph 1 (c) and (f), by Brazil regarding article 15, paragraph 4, and article 16, paragraph 1 (a), (c), (g) and (h), by Jamaica regarding article 9, paragraph 2, by the Republic of Korea regarding article 9 and article 16, paragraph 1 (c), (d), (f) and (g), and by Mauritius regarding article 11, paragraph 1 (b) and (d), and article 16, paragraph 1 (g), are incompatible with the object and purpose of the Convention (article 28, paragraph 2) and therefore objects to them. In relation to the Federal Republic of Germany, they may not be invoked in support of a legal practice which does not pay due regard to the legal

status afforded to women and children in the Federal Republic of Germany in conformity with the above-mentioned articles of the Convention.

"This objection shall not preclude the entry into force of the Convention as between Egypt, Bangladesh, Brazil, Jamaica, the Republic of Korea, Mauritius and the Federal Republic of Germany."

OBJECTION BY MEXICO TO THE RESERVATIONS MADE BY NEW ZEALAND
UPON RATIFICATION

/Original: Spanish/
/22 July 1985/
/A/40/623/

"The Government of the United Mexican States has studied the content of the reservations made by New Zealand, in respect of the Cook Islands, to article 2, paragraph (f), and article 5, paragraph (a), of the Convention, and has concluded that they should be considered invalid in the light of article 28, paragraph 2, of the Convention, because they are incompatible with its object and purpose.

"Indeed, the reservations in question, if put into practice, would inevitably result in discrimination against women on the basis of sex, which is contrary to everything the Convention stands for. The principles of the equal rights of men and women and of non-discrimination on the basis of sex are embodied in the second preambular paragraph and Article 1, paragraph 3, of the Charter of the United Nations, and in articles 2 and 16 of the Universal Declaration of Human Rights of 1948, and were previously accepted by the Government of New Zealand when it ratified the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights of 1966.

"The objection of the Government of the United Mexican States to the reservations in question should not be interpreted as an impediment to the entry into force of the 1979 Convention as between the United Mexican States and New Zealand, as far as the Cook Islands are concerned."

OBJECTION BY MEXICO TO A RESERVATION MADE BY
CYPRUS UPON ACCESSION

/Original: Spanish/
/29 January 1986/
/A/41/608/

"The Government of the United Mexican States has examined the contents of the reservation of Cyprus to Article 9, paragraph 2, of the Convention and has come to the conclusion that until such time as Cyprus amends its legislation as it states that it will in the said reservation and withdraws the reservation, the said reservation should be considered invalid in the light of Article 28, paragraph 2, of the Convention because it is incompatible with the object and purposes of the Convention.

"If the reservation were to apply it would inevitably have the effect of discriminating against women on the grounds of sex, which is contrary to the entire thrust of the Convention. The principles relating to the equality of men and women and non-discrimination on the grounds of sex are established in

the second paragraph of the preamble to, and in Article 1 (3) of, the United Nations Charter, to which Cyprus is a party, and in articles 2 and 16 of the Universal Declaration of Human Rights, which the Government of Cyprus had already adopted when, on 2 April 1969, it ratified the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights of 1966.

"The objection of the United Mexican States to the reservation in question should not be interpreted as an impediment to the entry into force of the 1979 Convention between the United Mexican States and the Republic of Cyprus.

OBJECTIONS BY SWEDEN TO RESERVATIONS MADE BY BANGLADESH,
BRAZIL, EGYPT, JAMAICA, MAURITIUS, NEW ZEALAND,
THE REPUBLIC OF KOREA, THAILAND AND TUNISIA

/Original: English/
/17 March 1986/
/A/41/608/

"The Government of Sweden considers that the reservations made

- by Thailand regarding article 9, paragraph 2, article 15, paragraph 3 and article 16,
- by Tunisia regarding article 9, paragraph 2, article 15, paragraph 4, and article 16, paragraph 1(c), (d), (f), (g) and (h),
- by Bangladesh regarding article 2, article 13(a) and article 16, paragraph 1(c) and (f),
- by Brazil regarding article 15, paragraph 4 and article 16, paragraph 1(a), (c), (g) and (h),

are incompatible with the object and purpose of the Convention (article 28, paragraph 2) and therefore objects to them.

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

"The Government of Sweden furthermore notes that, as a matter of principle, the same objection could be made to the reservations made

- by Egypt on 18 September 1981 regarding article 2, article 9, paragraph 2, and article 16,
- by Mauritius on 9 July 1984 regarding article 11, paragraph 1(b) and (d), and article 16, paragraph 1(g),
- by Jamaica on 19 October 1984 regarding article 9, paragraph 2,

- by the Republic of Korea on 27 December 1984 regarding article 9 and article 16, paragraph 1(c), (d), (f) and (g) and
- by New Zealand on 10 January 1985, in respect of the Cook Islands regarding article 2, paragraph (f) and article 5, paragraph (a).

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

OBJECTION BY THE UNION OF SOVIET SOCIALIST REPUBLICS
RELATING TO THE DECLARATION MADE BY THE FEDERAL REPUBLIC
OF GERMANY, UPON RATIFICATION, CONCERNING THE TERRITORIAL
APPLICATION OF THE CONVENTION TO BERLIN (WEST)

/Original: Russian/
/15 April 1986/
/A/41/608/

"The declaration made by the Government of the Federal Republic of Germany upon ratification of the Convention on the Elimination of All Forms of Discrimination against Women, adopted on 18 December 1979, regarding the extension of the said Convention to West Berlin directly contradicts the Quadripartite Agreement of 3 September 1971. This Agreement, as is known, clearly established that international agreements entered into by the Federal Republic of Germany may be extended to West Berlin only provided that such agreements do not affect matters of security and status. The said Convention, by virtue of its content, directly affects such matters.

"In particular, it governs matters relating to the adoption of legislation, including amendments to national constitutions, by States parties, to their use of sanctions or other coercive measures, and to the provision by means of the competent national courts or other State institutions of effective legal protection for citizens.

"The rights and duties referred to in the Convention are a manifestation of State sovereignty. Such rights and duties cannot be exercised by a State in a territory which does not fall within its jurisdiction.

"In view of the foregoing, the Soviet Union considers the declaration made by the Government of the Federal Republic of Germany regarding the extension of the Convention on the Elimination of All Forms of Discrimination against Women to West Berlin to be unlawful and not legally valid.

"Accordingly, the declaration and reservation made by the Government of the Federal Republic of Germany upon ratification are unlawful and not legally valid with respect to West Berlin."

OBJECTION BY MEXICO TO RESERVATIONS
MADE BY TURKEY UPON ACCESSION

/Original: Spanish/
/7 May 1986/
/A/41/608/

"The Government of the United Mexican States has studied the content of the reservations made by Turkey to paragraphs 2 and 4 of article 15 and paragraphs 1 (c), 1 (d), 1 (f) and 1 (g) of article 16, of the Convention, and has concluded that they should be considered invalid in the light of article 28, paragraph 2, of the Convention, because they are incompatible with its object and purpose.

"Indeed, the reservations in question, if put into practice, would inevitably result in discrimination against women on the basis of sex, which is contrary to everything the Convention stands for. The principles of the equal rights of men and women and of non-discrimination on the basis of sex are embodied in the preamble and Article 1, paragraph 3, of the Charter of the United Nations.

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

OBJECTION BY MEXICO TO RESERVATIONS MADE
BY EGYPT UPON RATIFICATION

/Original: Spanish/
/16 July 1986/
/A/42/627/

"The Government of the United Mexican States has studied the content of Egypt's reservations to articles 9 and 16 of the aforementioned Convention and has reached the conclusion that they are not compatible with the aim and purpose of the Convention. It therefore declares that if these reservations were applied they would inevitably result in discrimination against women on the basis of sex, which is contrary to all the articles of the Convention."

OBJECTIONS BY THE FEDERAL REPUBLIC OF GERMANY TO RESERVATIONS
MADE BY THAILAND UPON ACCESSION AND TO RESERVATIONS AND DECLARATIONS
MADE BY TUNISIA UPON RATIFICATION

(Courtesy Translation)

/15 October 1986/
/A/42/627/

"The Federal Republic of Germany holds the view that

- the "general declaration", the reservations regarding article 9, paragraph 2, and article 16 as well as the declaration concerning article 15, paragraph 4, made by Tunisia and
- the reservations regarding article 9, paragraph 2, article 10, article 11, paragraph 1 (b), article 15, paragraph 3, and article 16 made by Thailand,

are impermissible because they are imprecise or incompatible with the object and purpose of the Convention on the Elimination of All Forms of Discrimination against Women (article 28, paragraph 2) and it therefore objects to these reservations.

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

"In relation to the Federal Republic of Germany, these reservations may not be invoked in support of a legal practice which does not pay due regard to the legal status afforded to women and children in the Federal Republic of Germany in conformity with the above-mentioned articles of the Convention.

"This objection shall not preclude the entry into force of the Convention as between Tunisia, Thailand and the Federal Republic of Germany."

OBJECTION BY MEXICO TO RESERVATIONS MADE
BY THAILAND UPON ACCESSION

/Original: Spanish/
/16 October 1986/
/A/42/627/

"The Government of the United Mexican States has examined the content of the reservations of Thailand to article 9, paragraph 2, article 15, paragraph 3 and article 16 of the Convention, and reached the conclusion that they should be considered invalid in the light of article 28, paragraph 2, of the Convention, being incompatible with the object and purpose of the Convention.

"If the reservations were to apply, they would inevitably have the effect of discriminating against women on the grounds of sex, which is contrary to the entire thrust of the Convention. The principles relating to the equality of men and women and non-discrimination on the grounds of sex are established in the preamble to, and in Article 1 (3) of, the Charter of the United Nations.

"The objection of the United Mexican States to the reservations in question should not be interpreted in such a manner as to impede the entry into force of the 1979 Convention between the United Mexican States and the Kingdom of Thailand."

OBJECTION BY MEXICO TO RESERVATIONS MADE BY IRAQ UPON ACCESSION

/Original: Spanish/
/4 December 1986/
/A/42/627/

"The Government of the United Mexican States, having studied the content of the reservation of the Republic of Iraq with respect to article 2 (f) and (g), article 9(1) and (2) and article 16 of that Convention, has reached the conclusion that the reservation must be considered invalid in the light of article 28(2) of the same Convention, since it is incompatible with the Convention's object and purpose.

"The stated reservation would, if applied, inevitably give rise to discrimination against women on the basis of sex, which goes against the whole substance of the Convention. The principles relating to the equal rights of men and women and non-discrimination on the basis of sex are enshrined in the second preambular paragraph and Article 1, paragraph 3, of the Charter of the United Nations, to which the Republic of Iraq is a Party, and in articles 2 and 16 of the Universal Declaration of Human Rights of 1948, which were previously adopted by the Government of Iraq when it ratified, on 25 June 1971, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights of 1966.

"The objection of the United Mexican States to the reservation in question should not be interpreted as preventing the entry into force of the Convention 1979 between the United Mexican States and the Republic of Iraq."

OBJECTION BY ISRAEL TO RESERVATION MADE BY IRAQ UPON ACCESSION

/Original: English/
/12 December 1986/
/A/42/627/

"The Government of the State of Israel has noted that the instrument of accession by Iraq to the Convention on the Elimination of All Forms of Discrimination against Women contains a declaration in respect of Israel. In the view of the Government of the State of Israel, such declaration which is explicitly of a political character is incompatible with the purposes and objectives of the Convention and cannot in any way affect whatever obligations are binding upon Iraq under general international law or under particular conventions.

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

OBJECTION BY THE FEDERAL REPUBLIC OF GERMANY
TO RESERVATIONS MADE BY IRAQ UPON ACCESSION

(Courtesy Translation)

/2 March 1987/
/A/42/627/

The Government of the Federal Republic of Germany rejects as incompatible with the object and purpose of the Convention on the Elimination of All Forms of Discrimination against Women the reservations made by Iraq with regard to article 2, paragraphs (f) and (g), article 9 and article 16 of the Convention.

In relation to the Federal Republic of Germany they may not be invoked in support of a legal practice which does not pay due regard to the legal status accorded to women and children in the Federal Republic of Germany in conformity with the above-mentioned articles of the Convention.

This declaration is not to be interpreted as preventing the entry into force of the Convention between the Federal Republic of Germany and Iraq.

OBJECTION BY THE FEDERAL REPUBLIC OF GERMANY TO RESERVATIONS
MADE BY TURKEY UPON ACCESSION

(Courtesy Translation)

/2 March 1987/

/A/42/627/

The Government of the Federal Republic of Germany rejects as incompatible with the object and purpose of the Convention on the Elimination of All Forms of Discrimination against Women the reservation made by Turkey with regard to such articles of the Convention dealing with family relations as are not completely compatible with the provisions of the Turkish Civil Code, in particular article 15, paragraphs 2 and 4, and article 16, paragraph 1(c), (d), (f) and (g).

This declaration is not to be interpreted as preventing the entry into force of the Convention between the Federal Republic of Germany and Turkey.

OBJECTION BY SWEDEN TO RESERVATIONS
MADE BY IRAQ UPON ACCESSION

/Original: English/

/6 March 1987/

/A/42/627/

The Government of Sweden has examined the contents of the reservations made by Iraq to article 2, paragraphs (f) and (g), article 9, paragraph 1, and article 16 of the Convention and has come to the conclusion that they are incompatible with the object and purpose of the Convention (article 28, paragraph 2). The Government of Sweden therefore objects to them.

"If the reservations were to apply, they would inevitably have the effect of discriminating against women on the grounds of sex, which is contrary to everything the Convention stands for. It should also be borne in mind that the principles of the equal rights of men and women and of non-discrimination on the grounds of sex are set forth in the Charter of the United Nations as one of its purposes, in the Universal Declaration of Human Rights of 1948, and in the International Covenants on Economic, Social and Cultural Rights and on Civil Political Rights, both of 1966, to which Iraq is a party.

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

OBJECTION BY THE GERMAN DEMOCRATIC REPUBLIC TO DECLARATION
MADE BY THE FEDERAL REPUBLIC OF GERMANY UPON RATIFICATION

(Courtesy Translation)

/6 April 1987/

/A/42/627/

With regard to the application to Berlin (West) of the Convention on the Elimination of All Forms of Discrimination against Women, the German Democratic Republic notes, in accordance with the Quadripartite Agreement of 3 September 1971, that Berlin (West) is not a constituent part of the Federal Republic of Germany and is not to be governed by it. The Federal Republic of Germany's declaration that the said Convention was to be extended to Berlin (West) is contradictory to the Quadripartite Agreement which provides that agreement concerning matters of the security and status of Berlin (West) must not be extended to the latter by the Federal Republic of Germany. Consequently, the Federal Republic of Germany's declaration can have no legal effect.

OBJECTION BY MEXICO TO RESERVATIONS MADE BY MALAWI UPON ACCESSION

/Original: Spanish/

/30 July 1987/

/A/42/627/

The Government of the United Mexican States hopes that the process of eradication of the traditional customs and practices referred to in the first reservation of the Republic of Malawi will not be protracted, thereby jeopardizing the purpose and intent of the Convention.

D. Notifications of withdrawal of certain reservations

BYELORUSSIAN SOVIET SOCIALIST REPUBLIC

/Original: Russian/

/19 April 1989/

/A/44.457/

The Secretary-General of the United Nations, acting in his capacity as depositary, and referring to depositary notification C.N.34.1981. Treaties-4 of 3 March 1981 concerning the ratification by the Government of the Byelorussian Soviet Socialist Republic, with a reservation, of the Convention, communicates the following:

In a communication received on 19 April 1989, the Government of the Byelorussian Soviet Socialist Republic notified the Secretary-General that it has decided to withdraw the reservation relating to article 29 (paragraph 1, of the Convention) made upon ratification; the text of the reservation is reproduced below.

The text of the reservation made upon ratification on 4 February 1981 reads as follows:

"Pursuant to article 29, paragraph 2, of the Convention, the Byelorussian Soviet Socialist Republic does not consider itself bound by the provisions of article 29, paragraph 1, of the Convention, to the effect that any dispute between two or more States parties concerning the interpretation or application of the Convention, which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration or referred to the International Court of Justice, and declares that for the submission of such a dispute to arbitration or its referral to the International Court of Justice the consent of all parties to the dispute must be obtained in each individual case."

Letter dated 11 April 1989 from the Minister for Foreign Affairs of the Byelorussian Soviet Socialist Republic addressed to the Secretary-General

Prompted by the necessity to affirm the primacy of law in politics and to enhance the role and potential of the International Court of Justice, the Byelorussian Soviet Socialist Republic has begun to take action to withdraw the reservations that it made previously concerning the jurisdiction of the International Court of Justice in respect of a number of international legal instruments to which the Byelorussian SSR is a party.

I have the honour to inform you that the Byelorussian Soviet Socialist Republic recognizes the compulsory jurisdiction of the International Court of Justice in respect of the following conventions relating to human rights:

Convention on the Prevention and Punishment of the Crime of Genocide of 1948;

Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others of 1949;

Convention on the Political Rights of Women of 1952;

International Convention on the Elimination of All Forms of Racial Discrimination of 1965;

Convention on the Elimination of All Forms of Discrimination against Women of 1979;

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 1984:

and it declares that the relevant provisions of the aforementioned agreements shall apply to any disputes concerning the interpretation and application of these agreements which may arise following the date on which the Secretary-General is notified of the withdrawal of the reservations of the Byelorussian Soviet Socialist Republic.

FRANCE

/Original: French/
/21 July 1986/
/A/42/627/

In a notification received on 26 March 1984, the Government of France informed the Secretary-General of its decision to withdraw the reservation to article 7 of the Convention made upon ratification. The reservation had read as follows:

The Government of the French Republic declares that article 7 must not preclude the application of the second paragraph of article LO 128 of the electoral code. The notification specifies that the withdrawal was affected because Organic Law No. 83-1096 of 20 December 1983 has abrogated article LO 128 of the electoral code relating to temporary disqualifications of persons who have obtained French nationality.

Subsequently, in a notification received on 21 July 1986, the Government of France informed the Secretary-General that it decided to withdraw its reservation relating to article 15, paragraphs 2 and 3, and article 16, paragraphs 1 (c), (d) and (n) of the Convention, made upon ratification. The text of the reservation had read as follows:

The Government of the French Republic declares that article 15, paragraphs 2 and 3, and article 16, paragraphs 1 (c) and 1 (h), of the Convention must not preclude the application of the provisions of Book Three, Part V, chapter II of the Civil Code.

The notification specified that the withdrawal was effected because the existing discriminatory provisions, against women, in the rules governing property rights arising out of matrimonial relationship and in those concerning the legal administration of the property of children were abrogated by Act No. 85-1372 of 23 December 1985 concerning equality of spouses in respect of property rights arising out of a matrimonial relationship and equality of parents in respect of the property of minor children, which entered into force on 1 July 1986.

IRELAND

/Original: English/
/19 December 1986/
/A/42/627/

On 19 December 1986, the Government of Ireland notified the Secretary-General of its withdrawal of the following reservations made upon accession:

Article 9 (1)

Pending the proposed amendment to the law relating to citizenship, which is at an advanced stage, Ireland reserves the right to retain the provisions in its existing law concerning the acquisition of citizenship on marriage.

Article 15

With regard to paragraph 4 of this article, Ireland observes the equal rights of women relating to the movement of persons and the freedom to choose their residence; pending the proposed amendment of the law of domicile, which is at an advanced stage, it reserves the right to retain its existing law.

Article 11 (1) and 13 (a)

and pending the coming into force of the Social Welfare (Amendment) (No. 2) Act, 1985, to apply special conditions to the entitlement of married women of certain social security schemes.

NEW ZEALAND

/Original: English/
/13 January 1989/
/A/44/457/

With reference to depositary notification C.N.17.1985. Treaties-2 of 25 February 1985, concerning the ratification by the Government of New Zealand, with reservations, of the Convention, the Secretary-General received on 13 January 1989 from the Government of New Zealand a communication by which that Government notified him of the withdrawal of a reservation made upon ratification. The communication indicates that the Government of the Cook Islands and the Government of Niue denounced the Convention concerning the Employment of Women on Underground Work in Mines of All Kinds (ILO Convention No. 45) on 23 June 1987 and that, in accordance with article 28 (3) of the Convention on the Elimination of All Forms of Discrimination against Women, it withdraws the above-mentioned reservation, the text of which is reproduced below.

The text of the reservation made upon ratification on 10 January 1985 reads as follows:

"The Government of New Zealand, the Government of the Cook Islands and the Government of Niue reserve the right, to the extent the Convention is inconsistent with the provisions of the Convention concerning the Employment of Women on Underground Work in Mines of All Kinds (ILO Convention No. 45) which was ratified by the Government of New Zealand on 29 March 1938, to apply the provisions of the latter."

UKRAINIAN SOVIET SOCIALIST REPUBLIC

/Original: Russian/
/20 April 1989/
/A/44/457/

The Secretary-General of the United Nations, acting in his capacity as depositary, and referring to depositary notification C.N.80.1981. Treaties-7 of 27 April 1981 concerning, inter alia, the ratification by the government of the Ukrainian Soviet Socialist Republic, with a reservation, of the Convention, communicates the following:

In a communication received on 20 April 1989, the Government of the Ukrainian Soviet Socialist Republic notified the Secretary-General that it has decided to withdraw the reservation relating to article 29, paragraph 1, of the Convention, made upon ratification; the text of the reservation is reproduced below.

The text of the reservation made upon ratification on 12 March 1981 reads as follows:

"Pursuant to article 29, paragraph 2, of the Convention, the Ukrainian Soviet Socialist Republic does not consider itself bound by the provisions of article 29, paragraph 1, of the Convention, according to which any dispute between two or more States parties with respect to the interpretation or application of this Convention, which is not settled by negotiation, shall, upon the request of any one of the parties, be referred to arbitration or to the International Court of Justice, and declares that the referral of any such dispute to arbitration or to the International Court of Justice shall in each case require the consent of all parties to the dispute."

Letter dated 30 March 1989 from the Minister for Foreign Affairs
of the Ukrainian Soviet Socialist Republic addressed to the
Secretary-General

The Ministry of Foreign Affairs of the Ukrainian Soviet Socialist Republic presents its compliments to the Secretary-General of the United Nations and has the honour to inform him that, on 14 March 1989, the Presidium of the Supreme Soviet of the Ukrainian SSR issued a decree withdrawing the reservations that the Ukrainian SSR had previously made in respect of the compulsory jurisdiction of the International Court of Justice in disputes concerning the interpretation and application of the following international human rights instruments:

Convention on the Prevention and Punishment of the Crime of Genocide of 1948

Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others of 1949;

Convention on the Political Rights of Women of 1952;

International Convention on the Elimination of All Forms of Racial Discrimination of 1965;

Convention on the Elimination of All Forms of Discrimination against Women of 1979;

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 1984;

By this decree, the Ukrainian SSR declares that the relevant provisions of the above-mentioned agreements shall apply to disputes concerning the interpretation and application of these agreements which may arise after the date on which the Secretary-General of the United Nations is notified of the withdrawal of the reservations of the Ukrainian SSR.

UNION OF SOVIET SOCIALIST REPUBLICS

/Original: Russian/

/8 March 1989/

/A.44.457/

In a communication received on 8 March 1989, the Government of the Union of Soviet Socialist Republics notified the Secretary-General that it has decided to withdraw the reservation relating to article 29, paragraph 1, of the Convention, made upon ratification; the text of the reservation is reproduced below:

The reservation made upon ratification on 23 January 1981 had read as follows:

"In accordance with article 29, paragraph 2, of the Convention, the Union of Soviet Socialist Republics declares that it does not consider itself bound by the provisions of article 29, paragraph 1, of the Convention, which provides that any dispute between two or more States parties concerning the interpretation or application of the present Convention, which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration or to the International Court of Justice, and that for such dispute to be submitted to arbitration or to the International Court of Justice in every case there must be agreement between all the parties involved in the dispute."

Letter dated 28 February 1989 from the Minister for Foreign Affairs of the Union of Soviet Socialist Republics addressed to the Secretary-General

The Soviet Union, which attaches great importance in present circumstances to enhancing the role of the International Court of Justice in world affairs, has begun to consider the question of withdrawing the reservations that it made previously to a number of international treaties concerning the jurisdiction of that judicial organ. Given the importance of the further promotion of co-operation among States in the humanitarian sphere, it was deemed desirable to begin this process by dealing with human rights agreements. In this connection, in his address to the United Nations General Assembly, on 7 December 1988, Mr. M.S. Gorbachev advocated that all States should recognize the compulsory jurisdiction of the International Court of Justice with respect to the interpretation and application of human rights agreements.

In the light of above, on 10 February 1989, the Presidium of the Supreme Soviet of the USSR adopted a decree whereby the Soviet Union accepts the compulsory jurisdiction of the International Court of Justice in respect of the following international treaties: the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, the 1949 Convention for the suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, the 1952 Convention on the Political Rights of Women, the 1965 International Convention on the Elimination of All Forms of Racial

Discrimination, the 1979 Convention on the Elimination of All Forms of Discrimination against Women, and the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

By this decree, the Soviet Union declares that the relevant provisions of these treaties shall apply to disputes concerning the interpretation and application of the treaties in cases which may arise after the date on which the Secretary-General is notified of the withdrawal by the USSR of its reservations.

Thus, in accordance with the decree, disputes that may arise in the future between the Soviet Union and States parties to the above treaties, with respect to the interpretation and application of these treaties may, from the date of this letter, be referred to the International Court of Justice at the request of one of the parties to the dispute.

In taking this decision, the Soviet Union was guided by the desire to strengthen the international legal order, which upholds the primacy of law in political affairs. In advocating the primacy of international law, we take the position that international legal norms and obligations of States take precedence over their domestic enactments. Naturally, this approach also presupposes the comprehensive use of all means of peaceful settlement of disputes, including active use of the potential of the International Court of Justice.

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