



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

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**Meeting of States parties to the Convention  
on the Elimination of All Forms of  
Discrimination against Women**  
Fifteenth meeting  
New York, 30 July 2008  
Item 6 of the provisional agenda\*  
Other matters

**Declarations, reservations, objections and notifications of  
withdrawal of reservations relating to the Convention on the  
Elimination of All Forms of Discrimination against Women**

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\* CEDAW/SP/2008/1.

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## **I. Introduction**

1. Article 28 of the Convention on the Elimination of All Forms of Discrimination against Women provides that the Secretary-General shall receive and circulate to all States the texts of reservations made by States at the time of ratification of, or accession to, the Convention. The present report contains information on the declarations, reservations, objections and notifications of withdrawal of reservations made by States parties with respect to the Convention as at 1 April 2008, reproduced in *Multilateral Treaties Deposited with the Secretary-General: Status as at 15 November 2007*. Information as from 15 November 2007 is taken from the depository notifications available via the United Nations Treaty Collection databases.

## **II. Convention on the Elimination of All Forms of Discrimination against Women**

### **A. General information**

2. 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 the provisions of its article 27. As of 19 May 2008, 185 States had ratified or acceded to the Convention. Since the last report (CEDAW/SP/2006/2) the following three States have become party to the Convention: Brunei Darussalam on 24 May 2006; Cook Islands on 2 August 2006 and Montenegro on 23 October 2006.

3. By its resolution 54/4 of 6 October 1999, the General Assembly adopted the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. The Optional Protocol entitles individuals and groups of individuals to submit communications concerning alleged violations of the Convention by a State party to the Committee on the Elimination of Discrimination against Women. It also allows the Committee to inquire of its own motion into grave or systematic violations of the Convention.

4. As at 19 May 2008, 90 States parties to the Convention had ratified or acceded to the Optional Protocol to the Convention. Since the last report (CEDAW/SP/2006/2), the following 12 States parties have become party to the Optional Protocol: Angola on 1 November 2007; Antigua and Barbuda on 5 June 2006; Argentina on 20 March 2007; Armenia on 14 September 2006; Botswana on 21 February 2007; Bulgaria on 20 September 2006; Colombia on 23 January 2007; Cook Islands on 27 November 2007; Montenegro on 23 October 2006; Nepal on 15 June 2007; Republic of Korea on 18 October 2006 and Vanuatu on 17 May 2007.

5. As at 19 May 2008, 52 States parties to the Convention had deposited with the Secretary-General the instrument of acceptance of the amendment to article 20, paragraph 1, of the Convention concerning the Committee's meeting time. Since the last report (CEDAW/SP/2006/2), the following five States parties have deposited instruments of acceptance: Bangladesh on 3 May 2007; Cook Islands on 27 November 2007; Cuba on 7 March 2008; Grenada on 12 December 2007 and Slovenia on 10 November 2006.

6. During the period 1 April 2006 to 19 May 2008, reservations to the Convention were entered by Brunei Darussalam (see section B, and annexes I, II

and III). During the same period, objections to reservations were made by the following States parties: Austria to reservations made by Brunei Darussalam and Oman; Belgium to the reservations made by Brunei Darussalam and Oman; Canada to the reservations made by Brunei Darussalam; Czech Republic to the reservations made by Brunei Darussalam and Oman; Finland to the reservations made Brunei Darussalam and Oman ; France to the reservations made by Brunei Darussalam and Oman; Greece to the reservations made by Brunei Darussalam and Oman; Hungary to the reservations made by Brunei Darussalam and Oman; Italy to the reservations made by Brunei Darussalam and Oman; Netherlands to the reservations made by Brunei Darussalam; Norway to the reservations made by Brunei Darussalam; Poland to the reservations made by Brunei Darussalam and Oman; Portugal to the reservations made by Brunei Darussalam and Oman; Romania to the reservations made by Brunei Darussalam and Oman ; Slovakia to the reservations made by Brunei Darussalam and Oman; Spain to the reservations made by Brunei Darussalam and Oman; Sweden to the reservations made by Brunei Darussalam and Oman and the United Kingdom of Great Britain and Northern Ireland to the reservations made by Brunei Darussalam and Oman (see section D and annexes I, II and III).

7. During the period 1 April 2006 to 19 May 2008, the Secretary-General received notifications of withdrawals of reservations from the following three States parties: Cook Islands on 30 July 2007; Egypt on 4 January 2008 to article 9, paragraph 2; Luxembourg on 9 January 2008 to article 7 and article 16, paragraph 1(g); Singapore on 24 July 2007 ;Turkey on 29 January 2008 on article 9, paragraph 1 and the United Kingdom of Great Britain and Northern Ireland on article 15(4), (see sect. C and annex I).

## **B. Text of declarations and reservations**

8. Following are the texts of declarations and reservations made by States parties to the Convention on the Elimination of All Forms of Discrimination against Women.

### **Algeria**

[Original: French]  
[22 May 1996]

#### **Reservations**

##### **Article 2**

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

##### **Article 9, paragraph 2**

The Government of the People's Democratic Republic of Algeria wishes to express its reservations concerning the provisions of article 9, paragraph 2, which are incompatible with the provisions of the Algerian Nationality Code and the Algerian Family Code.

The Algerian Nationality Code allows a child to take the nationality of the mother only when:

- The father is either unknown or stateless;

- The child is born in Algeria to an Algerian mother and a foreign father who was born in Algeria.

Moreover, a child born in Algeria to an Algerian mother and a foreign father who was not born on Algerian territory may, under article 26 of the Algerian Nationality Code, acquire the nationality of the mother providing the Ministry of Justice does not object.

Article 41 of the Algerian Family Code states that a child is affiliated to its father through legal marriage.

Article 43 of that Code states that “the child is affiliated to its father if it is born in the 10 months following the date of separation or death”.

#### **Article 15, paragraph 4**

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

#### **Article 16**

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

#### **Article 29**

The Government of the People’s Democratic Republic of Algeria does not consider itself bound by article 29, paragraph 1, which states that any dispute between two or more 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 to the International Court of Justice.

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

### **Argentina**

[Original: Spanish]  
[15 July 1985]

#### **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]

## **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, paragraph 2 (b), to introduce maternity leave with pay or with comparable social benefit throughout Australia.

[ Original : English ]

[ 30 August 2000 ]

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

## **Austria**

[Original: English]

[31 March 1982]

## **Reservation**

Austria reserves its right to apply 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.

## **Bahamas**

[Original: English]

[6 October 1993]

## **Reservation**



The Government of the Commonwealth of the Bahamas does not consider itself bound by the provisions of article 2 (a), article 9, paragraph 2, article 16, paragraph 1 (h) [and] article 29, paragraph 1, of the Convention.

## **Bahrain**

[Original: Arabic]  
[18 June 2002]

### **Reservation**

The Kingdom of Bahrain makes reservations with respect to the following provisions of the Convention:

Article 2, in order to ensure its implementation within the bounds of the provisions of the Islamic sharia;

Article 9, paragraph 2;

Article 15, paragraph 4;

Article 16, insofar as it is incompatible with the provisions of the Islamic sharia;

Article 29, paragraph 1.

## **Bangladesh**

[Original: English]  
[6 November 1984]

### **Reservation**

The Government of the People's Republic of Bangladesh does not consider as binding upon itself the provisions of article 2 and 16(1)c, as they conflict with sharia law based on [the] Holy Koran and Sunna.

## **Brazil**

[Original: English]  
[1 February 1984]

### **Reservation**

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

[ Original : Arabic ]  
[ 24 May 2006 ]

## **Brunei Darussalam**

### **Reservations:**

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

## **China**

[Original: Chinese]  
[4 November 1980]

### **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]

### **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.

## **Democratic People's Republic of Korea**

[Original: English]  
[27 February 2001]

### **Reservation**

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

## **Egypt**

[Original: Arabic]  
[18 September 1981]

### **Reservations**

#### **Article 16**

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

#### **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 to an arbitral body of any dispute which may arise between States concerning the interpretation or application of the Convention. This is in order to avoid being bound by the system of arbitration in this field.

#### **General reservation to article 2**

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

## **El Salvador**

[Original: Spanish]  
[19 August 1981]

### **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]

### **Reservation**

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

### **France**

[Original: French]  
[14 December 1983]

### **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 14**

The Government of the French Republic declares that article 14, paragraph 2 (c), should be interpreted as guaranteeing that women who fulfil 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.

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, paragraph 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.

## **Germany**

[Original: English]  
[10 July 1985]

### **Declaration**

The right of peoples to self-determination, as enshrined in the Charter of the United Nations and in the International Covenants of 16 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 16 December 1966 on Civil and Political Rights and on Economic, Social and Cultural Rights. It will interpret the eleventh paragraph of the preamble accordingly.

## **India**

[Original: English]

[9 July 1993]

### **Declarations**

With regard to articles 5 (a) and 16, paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women, the Government of the Republic of India declares that it shall abide by and ensure these provisions in conformity with its policy of non-interference in the personal affairs of any community without its initiative and consent.

With regard to article 16, paragraph 2, of the Convention on the Elimination of All Forms of Discrimination against Women, the Government of the Republic of India declares that, though in principle it fully supports the principle of compulsory registration of marriages, it is not practical in a vast country like India with its variety of customs, religions and level of literacy.

### **Reservation**

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

## **Indonesia**

[Original: English]

[13 September 1984]

### **Reservation**

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]

### **Reservations**

Approval of and accession to this Convention shall not mean that the Republic of Iraq is bound by the provisions of article 2, subparagraphs (f) and (g), of article 9, paragraphs 1 and 2, or of article 16 of the Convention. The reservations to this last-mentioned article shall be without prejudice to the provisions of the Islamic sharia 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.

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

## **Ireland**

[Original: English]  
[23 December 1985]

### **Reservations**

#### **Article 16, paragraph 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, paragraph 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 article 11, paragraph 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.

## **Israel**

[Original: English]  
[3 October 1991]

### **Reservations**

The State of Israel hereby expresses its reservation with regard to article 7 (b) of the Convention concerning the appointment of women to serve as judges of religious courts where this is prohibited by the laws of any of the religious communities in Israel. Otherwise, the said article is fully implemented in Israel, in view of the fact that women take a prominent part in all aspects of public life.

The State of Israel hereby expresses its reservation with regard to article 16 of the Convention, insofar as the laws of personal status binding on the several religious communities in Israel do not conform with the provisions of that article.

### **Declaration**

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

### **Jamaica**

[Original: English]  
[19 October 1984]

### **Reservation**

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

### **Jordan**

[Original: Arabic]  
[1 July 1992]

### **Reservations**

Jordan does not consider itself bound by the following provisions:

- (a) Article 9, paragraph 2;
- (b) Article 15, paragraph 4 (a woman's residence and domicile are with her husband);
- (c) Article 16, paragraph 1 (c), relating to the rights arising upon the dissolution of a marriage in connection with maintenance and compensation;
- (d) Article 16, paragraph 1 (d) and (g).

### **Kuwait**

[Original: Arabic]  
[2 September 1994]

### **Reservations**

#### **Article 9, paragraph 2**

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



**Article 16, paragraph 1 (f)**

The Government of the State of Kuwait declares that it does not consider itself bound by the provision contained in article 16, paragraph 1 (f), inasmuch as it conflicts with the provisions of the Islamic sharia, Islam being the official religion of the State.

**Article 29, paragraph 1**

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

**Lebanon**

[Original: French]  
[16 April 1997]

**Reservations**

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

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

**Lesotho**

[Original: English]  
[22 August 1995]

**Reservations**

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

**Libyan Arab Jamahiriya**

[Original: Arabic]  
[5 July 1995]

**Reservations**

Article 2 of the Convention shall be implemented with due regard for the peremptory norms of the Islamic sharia relating to determination of the inheritance portions of the estate of a deceased person, whether female or male.

The implementation of article 16, paragraph 1 (c) and (d), of the Convention shall be without prejudice to any of the rights guaranteed to women by the Islamic sharia.

## **Liechtenstein**

[Original: English]  
[22 December 1995]

### **Reservation**

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

## **Malaysia**

[Original: English]  
[5 July 1995]

### **Reservations**

The Government of Malaysia declares that Malaysia's accession is subject to the understanding that the provisions of the Convention do not conflict with the provisions of the Islamic sharia law and the Federal Constitution of Malaysia. With regard thereto, further, the Government of Malaysia does not consider itself bound by the provisions of articles 5 (a), 7 (b), 9, paragraph 2, and 16, paragraph 1, (a), (c), (f) and (g), and paragraph 2 of the aforesaid Convention.

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

## **Maldives**

[Original: English]  
[23 June 1999]

### **Reservations**

The Government of the Republic of Maldives expresses its reservation to article 7 (a) of the Convention, to the extent that the provision contained in the said paragraph conflicts with the provision of article 34 of the Constitution of the Republic of Maldives.

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

## **Malta**

[Original: English]  
[8 March 1991]

## **Reservations**

### **Article 11**

The Government of Malta 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 the work done by them, where this is considered necessary or desirable to protect the health and safety of women or the human foetus, including such prohibitions, restrictions or conditions imposed in consequence of other international obligations of Malta.

### **Article 13**

The Government of Malta reserves the right, notwithstanding anything in the Convention, to continue to apply its tax legislation, which deems, in certain circumstances, the income of a married woman to be the income of her husband and taxable as such.

The Government of Malta reserves the right to continue to apply its social security legislation, which in certain circumstances makes certain benefits payable to the head of the household, which is, by such legislation, presumed to be the husband.

### **Articles 13, 15 and 16**

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

### **Article 16, paragraph 1 (e)**

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

## **Mauritania**

[Original: French]  
[10 May 2001]

### **Reservation**

The Government of Mauritania, having seen and examined the Convention on the Elimination of All Forms of Discrimination against Women, adopted by the United Nations General Assembly on 18 December 1979, has approved and does

approve it in each and every one of its parts which are not contrary to Islamic sharia and are in accordance with our Constitution.

## **Mauritius**

[Original: English]  
[9 July 1984]

### **Reservation**

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.

## **Micronesia (Federated States of)**

[Original: English]  
[1 September 2004]

### **Reservations**

The Government of the Federated States of Micronesia advises that it is not at present in a position to take the measures either required by article 11, paragraph 1 (d) of the Convention to enact comparable worth legislation, or by article 11, paragraph 2 (b) to enact maternity leave with pay or with comparable social benefits throughout the nation.

The Government of the Federated States of Micronesia, in its capacity as trustee of the heritage of diversity within its States under article V of its Constitution, reserves the right not to apply the provisions of articles 2 (f), 5 and 16 to the succession of certain well-established traditional titles, and to marital customs that divide tasks or decision-making in purely voluntary or consensual private conduct.

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

## **Monaco**

[Original: French]  
[18 March 2005]

### **Declarations**

The implementation of the Convention on the Elimination of All Forms of Discrimination against Women does not affect the validity of conventions concluded with France.

The Principality of Monaco deems that the aims of the Convention are to eliminate all forms of discrimination against women and guarantee every individual, irrespective of gender, equality before the law, when the aforementioned aims are in line with the principles stipulated in the Constitution.

The Principality of Monaco declares that no provision in the Convention can be interpreted as impeding the provisions of the laws and regulations of Monaco that are more favourable to women than to men.

### **Reservations**

The ratification of the Convention by the Principality of Monaco shall have no effect on the constitutional provisions governing the succession to the throne.

The Principality of Monaco reserves the right not to apply the provisions of article 7 (b), of the Convention regarding recruitment to the police force.

The Principality of Monaco does not consider itself bound by the provisions of article 9, which are not compatible with its nationality laws.

The Principality of Monaco does not consider itself bound by article 16, paragraph 1 (g), regarding the right to choose one's surname.

The Principality of Monaco does not consider itself bound by article 16, paragraph 1 (e), to the extent that the latter can be interpreted as forcing the legalization of abortion or sterilization.

The Principality of Monaco reserves the right to continue to apply its social security laws which, in certain circumstances, envisage the payment of certain benefits to the head of the household who, according to this legislation, is presumed to be the husband.

The Principality of Monaco declares, in conformity with the provisions of article 29, paragraph 2, that it does not consider itself bound by the provisions of the first paragraph of this article.

## **Morocco**

[Original: French]

[21 June 1993]

### **Declarations**

#### **Article 2**

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

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

#### **Article 15, paragraph 4**

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

### **Reservations**

#### **Article 9, paragraph 2**

The Government of the Kingdom of Morocco makes a reservation with regard to this article in view of the fact that the Law of Moroccan Nationality permits a child to bear the nationality of its mother only in the cases where it is born to an unknown father, regardless of place of birth, or to a stateless father, when born in Morocco, and it does so in order to guarantee to each child its right to a nationality. Further, a child born in Morocco of a Moroccan mother and a foreign father may acquire the nationality of its mother by declaring, within two years of reaching the age of majority, its desire to acquire that nationality, provided that, on making such declaration, its customary and regular residence is in Morocco.

#### **Article 16**

The Government of the Kingdom of Morocco makes a reservation with regard to the provisions of this article, particularly those relating to the equality of men and women in respect of rights and responsibilities on entry into and at dissolution of marriage. Equality of this kind is considered incompatible with the Islamic sharia, which guarantees to each of the spouses the rights and responsibilities within a framework of equilibrium and complementarity in order to preserve the sacred bond of matrimony.

The provisions of the Islamic sharia oblige the husband to provide a nuptial gift upon marriage and to support his family, while the wife is not required by law to support the family.

Furthermore, at dissolution of marriage, the husband is obliged to pay maintenance. In contrast, the wife enjoys complete freedom of disposition of her property during the marriage and upon its dissolution without supervision by the husband, the husband having no jurisdiction over his wife's property.

For these reasons, the Islamic sharia confers the right of divorce on a woman only by decision of a sharia judge.

#### **Article 29**

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

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

### **Myanmar**

[Original: English]  
[22 July 1997]

#### **Reservation**

#### **Article 29**

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

### **Netherlands**

[Original: English]  
[23 July 1991]

#### **Declaration**

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

## **Niger**

[Original: French]  
[8 October 1999]

### **Reservations**

#### **Article 2 (d) and (f)**

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

#### **Article 5 (a)**

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

#### **Article 15, paragraph 4**

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

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

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

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

#### **Article 29**

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

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

### **Declaration**



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

## **Oman**

[Original: Arabic]  
[7 February 2006]

### **Reservations**

[The Sultanate of Oman makes reservation to:]

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

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

Article 15, paragraph 4, which provides that States parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile;

Article 16, regarding the equality of men and women, and in particular paragraph 1, subparagraphs (a), (c) and (f) (regarding adoption).

The Sultanate is not bound by article 29, paragraph 1, regarding arbitration and the referral to the International Court of Justice of any dispute between two or more States which is not settled by negotiation.

## **Pakistan**

[Original: English]  
[12 March 1996]

### **Declaration**

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

### **Reservation**

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

## **Republic of Korea**

[Original: English]  
[27 December 1984]

### **Reservations**

The Government of the Republic of Korea, having examined the said Convention, hereby ratifies the Convention, considering itself not bound by the provisions of subparagraph (g) of paragraph 1 of article 16 of the Convention.

### **Saudi Arabia**

[Original: English]  
[7 September 2000]

### **Reservations**

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

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

### **Singapore**

[Original: English]  
[5 October 1995]

### **Reservations**

In the context of Singapore's multiracial and multireligious society and the need to respect the freedom of minorities to practise their religious and personal laws, the Republic of Singapore reserves the right not to apply the provisions of articles 2 and 16 where compliance with these provisions would be contrary to their religious or personal laws.

Singapore interprets article 11, paragraph 1, in the light of the provisions of article 4, paragraph 2, as not precluding prohibitions, restrictions or conditions on the employment of women in certain areas, or on work done by them where this is considered necessary or desirable to protect the health and safety of women or the human foetus, including such prohibitions, restrictions or conditions imposed in consequence of other international obligations of Singapore, and considers that legislation in respect of article 11 is unnecessary for the minority of women who do not fall within the ambit of Singapore's employment legislation.

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

### **Spain**

[Original: Spanish]  
[5 January 1984]

## **Declaration**

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

## **Switzerland**

[Original: French]  
[27 March 1997]

## **Reservations**

### **Article 16, paragraph 1 (g)**

Said provision shall be applied subject to the regulations on family name (Civil Code, article 160 and article 8 (a), final section).

### **Article 15, paragraph 2, and article 16, paragraph 1 (h)**

Said provisions shall be applied subject to several interim provisions of the matrimonial regime (Civil Code, articles 9 (e) and 10, final section).

## **Syrian Arab Republic**

[Original: Arabic]  
[28 March 2003]

## **Reservation**

[The Government of the Syrian Arab Republic makes] reservations to article 2; article 9, paragraph 2, concerning the grant of a woman's nationality to her children; article 15, paragraph 4, concerning freedom of movement and of residence and domicile; article 16, paragraph 1 (c), (d), (f) and (g), concerning equal rights and responsibilities during marriage and at its dissolution with regard to guardianship, the right to choose a family name, maintenance and adoption; article 16, paragraph 2, concerning the legal effect of the betrothal and the marriage of a child, inasmuch as this provision is incompatible with the provisions of the Islamic sharia; and article 29, paragraph 1, concerning arbitration between States in the event of a dispute.

The accession of the Syrian Arab Republic to this Convention shall in no way signify recognition of Israel or entail entry into any dealings with Israel in the context of the provisions of the Convention.

## **Thailand**

[Original: English]  
[9 August 1985]

## **Declaration**

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

#### **Reservation**

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

### **Trinidad and Tobago**

[Original: English]  
[12 January 1990]

#### **Reservation**

The Republic of Trinidad and Tobago declares that it does not consider itself bound by article 29, paragraph 1, of the said Convention, relating to the settlement of disputes.

### **Tunisia**

[Original: Arabic]  
[20 September 1985]

#### **General declaration**

The Government of Tunisia 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.

#### **Reservations**

##### **Article 9, paragraph 2**

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

##### **Article 16, paragraph 1 (c), (d), (f), (g) and (h)**

The Government of Tunisia considers itself not bound by article 16, paragraph 1 (c), (d) and (f), of the Convention and declares that paragraph 1 (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.

##### **Article 29, paragraph 1**

The Government of Tunisia 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 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 Government of Tunisia 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.

#### **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 Government of Tunisia 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]

#### **Reservations**

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.

### **United Arab Emirates**

[Original: Arabic]  
[6 October 2004]

#### **Reservations**

The United Arab Emirates makes reservations to articles 2 (f), 9, 15, paragraph 2, 16 and 29, paragraph 1, of the Convention, as follows:

##### **Article 2 (f)**

The United Arab Emirates, being of the opinion that this paragraph violates the rules of inheritance established in accordance with the precepts of the sharia, makes a reservation thereto and does not consider itself bound by the provisions thereof.

##### **Article 9**

The United Arab Emirates, considering the acquisition of nationality an internal matter which is governed, and the conditions and controls of which are established, by national legislation makes a reservation to this article and does not consider itself bound by the provisions thereof.

### **Article 15, paragraph 2**

The United Arab Emirates, considering this paragraph in conflict with the precepts of the sharia regarding legal capacity, testimony and the right to conclude contracts, makes a reservation to the said paragraph of the said article and does not consider itself bound by the provisions thereof.

### **Article 16**

The United Arab Emirates will abide by the provisions of the article insofar as they are not in conflict with the principles of the sharia. The United Arab Emirates considers that the payment of a dowry and support after divorce is an obligation of the husband, and the husband has the right to divorce, just as the wife has her independent financial security and her full rights to her property and is not required to pay her husband's or her own expenses out of her own property. The sharia makes a woman's right to divorce conditional on a judicial decision, in a case in which she has been harmed.

### **Article 29, paragraph 1**

The United Arab Emirates appreciates and respects the functions of this article, which provides: "Any dispute between two or more States Parties concerning the interpretation or application on the present Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration. If within six months ... the parties are unable to agree ... any one of those parties may refer the dispute to the International Court of Justice ..." This article, however, violates the general principle that matters are submitted to an arbitration panel by agreement between the parties. In addition, it might provide an opening for certain States to bring other States to trial in defence of their nationals; the case might then be referred to the Committee charged with discussing the State reports required by the Convention and a decision might be handed down against the State in question for violating the provisions of the Convention. For these reasons the United Arab Emirates makes a reservation to this article and does not consider itself bound by the provisions thereof.

## **United Kingdom of Great Britain and Northern Ireland**

[Original: English]  
[7 April 1986]

### **Declarations and reservations**

#### **A. On behalf of the United Kingdom of Great Britain and Northern Ireland**

(a) The United Kingdom understands the main purpose of the Convention, in the light of the definition contained in article 1, to be the reduction, in accordance

with its terms, of discrimination against women, and does not therefore regard the Convention as imposing any requirement to repeal or modify any existing laws, regulations, customs or practices which provide for women to be treated more favourably than men, whether temporarily or in the longer term; the United Kingdom's undertakings under article 4, paragraph 1, and other provisions of the Convention are to be construed accordingly.

...

(c) In the light of the definition contained in article 1, the United Kingdom's ratification is subject to the understanding that none of its obligations under the Convention shall be treated as extending to the succession to, or possession and enjoyment of, the Throne, the peerage, titles of honour, social precedence or armorial bearings, or as extending to the affairs of religious denominations or orders or any act done for the purpose of ensuring the combat effectiveness of the Armed Forces of the Crown.

#### **Article 9**

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

#### **Article 11**

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

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

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

...

(b) Increases of 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;

...

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, paragraph 2.

#### **Article 15**

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

#### **Article 16**

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

### **B. On behalf of the British Virgin Islands, the Falkland Islands (Malvinas), the Isle of Man, South Georgia and the South Sandwich Islands, and the Turks and Caicos Islands**

[Same declarations and reservations as those made in respect of the United Kingdom under section A, paragraphs (a), (c) and (d), except that in the case of (d) they apply to the territories and their laws.]

#### **Article 1**

[Same reservation as the one made in respect of the United Kingdom except with regard to the absence of a reference to United Kingdom legislation.]

#### **Article 2**

[Same reservation as the one made in respect of the United Kingdom except that reference is made to the laws of the territories, and not to the laws of the United Kingdom.]

#### **Article 9**

[Same reservation as the one made in respect of the United Kingdom.]

#### **Article 11**

[Same reservations as those made in respect of the United Kingdom except that reference is made to the laws of the territories, and not to the laws of the United Kingdom.]

Also, as far as the territories are concerned, the specific benefits listed and which may be applied under the provisions of these territories' legislation are as follows:

- (a) Social security benefits for persons engaged in caring for a severely disabled person;
- (b) Increases of benefit for adult dependants;
- (c) Retirement pensions and survivors' benefits;
- (d) Family income supplements.



This reservation will apply equally to any future legislation which may modify or replace any of the provisions specified in subparagraphs (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, paragraph 2.

**Articles 13, 15 and 16**

[Same reservations as those made on behalf of the United Kingdom.]

**Venezuela (Bolivarian Republic of)**

[Original: Spanish]  
[2 May 1983]

**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]

**Reservation**

In implementing this Convention, the Socialist Republic of Viet Nam will not be bound by the provisions of paragraph 1 of article 29.

## **Yemen**

[Original:  
[30 May 1984]

Arabic]

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.

### **C. Notification of withdrawal of certain reservations**

9. Since the previous report (CEDAW/SP/2006/2), the following notifications of withdrawal of certain reservations have been received.

## **Cook Islands**

On 30 July 2007, the Government of Cook Islands notified the Secretary-General of its decision to withdraw the reservations made upon accession to the Convention to the provisions of article 11 (2) (b). The Government of the Cook Islands reserves 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 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."

## **Egypt**

On 4 January 2008, the Government of the Arab Republic of Egypt notified the Secretary-General that it decided to withdraw its reservation to article 9, paragraph 2, made upon accession to the Convention.

## **Luxembourg**

On 9 January 2008, the crown of the Grand Duchy of Luxembourg notified the Secretary-General that it decided to withdraw its reservations made upon ratification to the Convention.

## **New Zealand**

52. On 5 July 2007, the Government of New Zealand informed the Secretary-General that it had decided to withdraw the reservation made upon ratification in accordance with article 28 (1) of the Convention which read as follows: ... the Government of New Zealand, the Government of the Cook Islands and the

Government of Niue reserved the right not to apply the provisions of CEDAW in so far as they are inconsistent with policies relating to recruitment into for 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, in their territories; ... NOW THEREFORE the Government of New Zealand, having considered the said reservation, HEREBY WITHDRAWS the said reservation in respect of the metropolitan territory of New Zealand pursuant to paragraph 3 of article 28 of CEDAW; ... AND DECLARES that, consistent with the constitutional status of Tokelau and taking into account the commitment of the Government of New Zealand to the development of self-government for Tokelau, ther having been consultations regarding CEDAW between the Government of New Zealand and the Government of Tokelau; the withdrawal of the said reservation shall also apply to Tokelau ..."

### **Singapore**

On 24 July 2007, the Government of Singapore notified the Secretary-General that it had decided to withdraw the following reservation made upon accession to the Convention: "(2) Singapore is geographically one of the smallest independent countries in the world and one of the most densely populated. The Republic of Singapore accordingly reserves the right to apply such laws and conditions governing the entry into, stay in, employment of and departure from its territory of those who do not have the right under the laws of Singapore to enter and remain indefinitely in Singapore and to the conferment, acquisitions and loss of citizenship of women who have acquired such citizenship by marriage and of children born outside Singapore."

### **Turkey**

On 29 January 2008, the Government of the Republic of Turkey notified the Secretary-General that it decided to withdraw its reservation to article 9, paragraph 1, made upon accession to the Convention.

### **United Kingdom of Great Britain and Northern Ireland**

On 24 July 2007, the Government of the United Kingdom notified the Secretary-General that it had decided to withdraw the following reservation made upon ratification to the Convention: "(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."

## **D. Objections to certain declarations and reservations**

10. Since the previous report (CEDAW/SP/2006/2), the following objections to certain declarations and reservations were made. The communications received by the Secretary-General which convey objections to certain declarations and reservations are set out in the present section.

### **Austria**

#### **Objection**

[18 December 2006]

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

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

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

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

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

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

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

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

[5 January 2007]

**With regard to the reservations made by Oman upon accession:**

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

The Government of Austria finds that the reservations to article 9, paragraph 2, article 15, paragraph 4, and article 16 would inevitably result in discrimination against women on the basis of sex. This is contrary to the object and purpose of the Convention.

The Government of Austria further considers that, in the absence of further clarification, the reservation to "all provisions of the Convention not in accordance with the provisions of the Islamic sharia and legislation in force in the Sultanate of Oman" does not clearly specify its extent and therefore raises doubts as to the degree of commitment assumed by the Sultanate of Oman in becoming a party to the Convention.

The Government of Austria would like to recall that, according to article 28, paragraph 2 of the Convention as well as customary international law as codified in the Vienna Convention on the Law of Treaties (Art. 19 subparagraph c), a reservation incompatible with the object and purpose of a treaty shall not be permitted.

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

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

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

**Belgium**

[30 April 2007]

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

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

In addition, the reservation makes the implementation of the Convention's provisions contingent upon their compatibility with the Constitution of Brunei Darussalam and the beliefs and principles of Islam, the official religion of Brunei Darussalam. This creates uncertainty as to which of its obligations

under the Convention Brunei Darussalam intends to observe and raises doubts as to Brunei Darussalam's respect for the object and purpose of the Convention.

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

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

[30 April 2007]

**With regard to the reservations made by Oman upon accession:**

Belgium has carefully examined the reservation formulated by the Sultanate of Oman when it acceded, on 7 February 2006, to the Convention on the Elimination of All Forms of Discrimination against Women, adopted in New York on 18 December 1979. Belgium notes that the reservation formulated with respect to article 9, paragraph 2; article 15, paragraph 4; and article 16 concerns fundamental provisions of the Convention and is therefore incompatible with the object and purpose of that instrument.

In addition, the first paragraph of the reservation makes the implementation of the Convention's provisions contingent upon their compatibility with the Islamic sharia and legislation in force in the Sultanate of Oman. This creates uncertainty as to which of its obligations under the Convention the Sultanate of Oman intends to observe and raises doubts as to Oman's respect for the object and purpose of the Convention.

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

In consequence, Belgium objects to the reservation formulated by the Sultanate of Oman with respect to the Convention on the Elimination of All Forms of Discrimination against Women. This objection shall not preclude the entry into force of the Convention between the Kingdom of Belgium and the

Sultanate of Oman. The Convention shall enter into force in its entirety, without Oman benefiting from its reservation.

## **Canada**

[14 June 2007 ]

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

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

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

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

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

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

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

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

## **Czech Republic**

[12 January 2007]

### **With regard to the reservations made by Oman upon accession:**

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

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

It is in the common interest of States that treaties to which they have chosen to become parties are respected as to their object and purpose, by all parties, and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties. According to Article 28, paragraph 2 of the Convention and according to customary international law as codified in the Vienna Convention on the Law of Treaties, a reservation that is incompatible with the object and purpose of a treaty shall not be permitted.

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

[11 April 2007]

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

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



contrary to the Constitution of Brunei Darussalam and to the beliefs and principles of Islam.

The Government of the Czech Republic notes that a reservation to a Convention which consists of a general reference to national law without specifying its contents does not clearly define for the other States Parties to the Convention the extent to which the reserving State has accepted the obligations of the Convention. Furthermore, the reservation made to Article 9 paragraph 2, if put into practice, would inevitably result in discrimination against women on the basis of sex, which is contrary to the object and purpose of the Convention.

It is in the common interest of States that treaties to which they have chosen to become parties are respected as to their object and purpose, by all parties, and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties. According to Article 28 paragraph 2 of the Convention and according to customary international law as codified in the Vienna Convention on the Law of Treaties, a reservation that is incompatible with the object and purpose of a treaty shall not be permitted.

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

## **Finland**

[27 February 2007]

### **With regard to the reservations made Oman upon accession:**

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

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

The Government of Finland notes that a reservation which consists of a general reference to religious or other national law without specifying its contents does not clearly define to other Parties to the Convention the extent to which the reserving State commits itself to the Convention and creates serious doubts as to the commitment of the receiving State to fulfil its obligations under the Convention. Such reservations are, furthermore, subject to the general principle of treaty interpretation according to which a party may not

invoke the provisions of its domestic law as justification for a failure to perform its treaty obligations.

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

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

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

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

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

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

The Government of Finland notes that a reservation which consists of a general reference to religious or other national law without specifying its contents does not clearly define to other Parties to the Convention the extent to which the reserving State commits itself to the Convention and creates serious doubts as to the commitment of the receiving State to fulfil its obligations under the Convention. Such reservations are, furthermore, subject to the general principle of treaty interpretation according to which a party may not invoke the provisions of its domestic law as justification for a failure to perform its treaty obligations.

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

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

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

## **France**

[Original: French]  
[13 February 2007]

### **With regard to the reservations made by Oman upon accession:**

The Government of the French Republic has considered the reservations made by the Sultanate of Oman upon accession to the Convention on the Elimination of All Forms of Discrimination against Women of 18 December 1979, according to which the Sultanate of Oman does not consider itself bound by 'any provisions of the Convention which are incompatible with Islamic Sharia or with the laws in force in the Sultanate of Oman', or by the provisions of article 9, paragraph 2, article 15, paragraph 4 and article 16, in particular paragraph 1 (a), (c) and (f). The Government of the French Republic considers that, by ruling out the application of the Convention or subordinating it to Sharia principles and the laws in force, the Sultanate of Oman is making a reservation of a general and indeterminate nature, thereby depriving the provisions of the Convention of any effect. The Government of the French Republic considers this reservation to be contrary to the object and purpose of the Convention and therefore wishes to register an objection thereto. The Government of the French Republic also objects to the reservations made to article 9, paragraph 2, article 15, paragraph 4 and article 16, in particular paragraph 1 (a), (c) and (f). These objections shall not prevent the entry into force of the Convention between France and the Sultanate of Oman.

[13 June 2007]

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

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

## Greece

[29 January 2007]

### **With regard to the reservations made by Oman upon accession:**

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

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

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

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

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

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

[15 June 2007]

### **With regard to the reservations made by Brunéi Darussalam upon accession:**

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

Brunei Darussalam and the beliefs and principles of Islam. It is, therefore, incompatible with the object and purpose of the Convention.

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

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

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

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

## **Hungary**

[7 February 2007]

### **With regard to the reservations made by Oman upon accession:**

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

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

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

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

[24 April 2007]

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

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

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

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

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

## **Italy**

[15 June 2007]

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

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

The Government of Italy is of the opinion that by giving precedence to the beliefs and principles of Islam and its own constitutional law over the application of the provisions of the Convention, Brunei Darussalam has made a reservation which leaves it unclear to what extent it feels bound by the obligations of the Convention and which is incompatible with the object and purpose of the Convention. Furthermore, the reservation to Article 9 (2) will unavoidably result in a legal situation that discriminates against women, which is incompatible with the object and purpose of the Convention. Pursuant to Article 28 (2) of the Convention, reservations that are incompatible with the object and purpose of the Convention shall not be permitted.

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

[9 July 2007]

### **With regard to the reservations made by Oman upon accession:**

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

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

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

## **Netherlands**

[11 April 2007]

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

"The Government of the Kingdom of the Netherlands has examined the reservations made by Brunei Darussalam to the Convention on the Elimination of All Forms of Discrimination against Women. The Government of the Kingdom of the Netherlands considers that the reservation with respect to article 9, paragraph 2, of the Convention is a reservation incompatible with the object and purpose of the Convention.

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

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

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

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

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

## **Norway**

[21 March 2007]

### **With regard to the reservation made by Brunei Darussalam upon accession:**

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

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

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

## **Poland**

[Original: English and Polish]  
[1 March 2007]

### **With regard to the reservations made Oman upon accession:**

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

The Government of the Republic of Poland considers that the reservations made by the Sultanate of Oman are incompatible with the object and purpose of the Convention which guarantees equal rights of women and men to exercise their economic, social, cultural, civil, and political rights. The Government of the Republic of Poland therefore considers that, according to article 19 © of the Vienna Convention on the Law of Treaties, done at Vienna on 23 May 1969, as well as article 28 (2) of the Convention on the Elimination of All Form of Discrimination



against Women, reservations incompatible with the object and purpose of a treaty shall not be permitted.

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

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

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

[7 June 2007]

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

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

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

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

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

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

## **Portugal**

[30 January 2007]

### **With regard to the reservations made by Oman upon accession:**

“The first reservation concerns “all provisions of the Convention not in accordance with the provisions of the Islamic sharia and legislation in force in the Sultanate of Oman”. Portugal considers that this reservation is too general and vague and seeks to limit the scope of the Convention on an unilateral basis that is not authorised by it. Moreover, this reservation creates doubts as to the commitment of the reserving State to the object and purpose of the Convention and, moreover, contributes to undermining the basis of international law. It is in the common interest of all States that treaties to which they have chosen to become parties are respected as to their object and purpose by all parties and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.

The second, third and fourth reservations concern fundamental provisions of the Convention, such as articles 9 (2), 15 (4) and 16, that cover the fundamental rights of women and deal with the key elements for the elimination of discrimination against women on the basis of sex. These reservations are thus incompatible with the object and purpose of the Convention and are not permitted under article 28 (2) of the CEDAW.

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

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

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

“The reservation concerning the “provisions of the said Convention that may be contrary to the Constitution of Brunei Darussalam and to the beliefs and principles of Islam, the official religion of Brunei Darussalam” is too general and vague and seeks to limit the scope of the Convention on a unilateral basis that is not authorised by it. Moreover, this reservation creates doubts as to the commitment of the reserving State to the object and purpose of the Convention and, moreover, contributes to undermining the basis of international law. It is in the common interest of all States that treaties to which they have chosen to become parties are respected as to their object and purpose by all parties and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.

The reservation concerning article 9 (2) undermines a key provision of the Convention concerning the elimination of discrimination against women on the basis of sex. This reservation is thus incompatible with the object and purpose of the Convention and is not permitted under article 28 (2) of the CEDAW.

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

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

## **Romania**

[8 February 2007]

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

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

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

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

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

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

### **With regard to the reservations made by Oman upon accession:**

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

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

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

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

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

## **Slovakia**

[27 February 2007]

### **With regard to the reservation made by Oman upon accession:**

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

The Government of Slovakia is of the view that the general reservation made by the Sultanate of Oman that “all provisions of the Convention not in accordance with the provisions of the Islamic sharia and legislation in force in the Sultanate of Oman” is too general and does not clearly specify the extent of the obligation (mentioned in the Convention) for the Sultanate of Oman.

The Government of Slovakia finds the reservation to article 9 (2), article 15 (4) and article 16 incompatible with the object and purpose of the Convention and is therefore inadmissible under article 19 (c) of the Vienna Convention on the Law of Treaties. Therefore it shall not be permitted, in accordance with article 2[8], paragraph 2 of the Convention on the Elimination of All Forms of Discrimination Against Women.

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

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

[11 May 2007]

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

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

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

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

For these reasons, the Government of Slovakia objects to the above mentioned reservations made by the Brunei Darussalam upon its accession to the Convention on the Elimination of all Forms of Discrimination against Women.

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

## **Spain**

[Original: Spanish]  
[23 February 2007]

### **With regard to the reservations made by Oman upon accession:**

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

The Government of the Kingdom of Spain considers that the first part of the reservation which subordinates all the provisions of the Convention to conform to Islamic law and the legislation in force in Oman, to which it makes general reference, without specifying its content, does not permit clear determination as to the extent to which Oman has accepted the obligations derived under the Convention and, consequently, such reservation sheds doubt as to the extent to which the Sultanate of Oman is committed to the object and purpose of the Convention.

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

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

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

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

[13 June 2007]

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

The Government of the Kingdom of Spain has examined the reservations made by Brunei Darussalam upon acceding to the Convention on the Elimination of All Forms of Discrimination against Women regarding all the provisions of the Convention that may be contrary to the Constitution of Brunei Darussalam and to the beliefs and principles of Islam, and regarding article 9.2 of the Convention.

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

The Government of the Kingdom of Spain recalls that, under article 28.2 of the Convention, reservations that are incompatible with the object and purpose of the Convention are not permitted.

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

**Sweden**

[Original: English]  
[6 February 2007]

**With regard to the reservations made Oman upon accession:**

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

The Government of Sweden notes that the Sultanate of Oman gives precedence to the provisions of Islamic Sharia and national legislation over the application of the

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

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

According to article 28 (2) of the Convention and to international customary law, as codified in the Vienna Convention on the Law of Treaties, reservations incompatible with the object and purpose of the Convention shall not be permitted. It is in the common interest of States that treaties to which they have chosen to become parties, are respected as to their object and purpose by all parties, and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.

The Government of Sweden therefore objects to the aforesaid reservations made by the Sultanate of Oman to the Convention on the Elimination of All Forms of Discrimination against Women and considers them null and void.

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

[12 February 2007]

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

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

The Government of Sweden notes that Brunei Darussalam gives precedence to the beliefs and principles of Islam and national legislation over the application of the provisions of the Convention. The Government of Sweden is of the view that this reservation which does not clearly specify the extent of Brunei Darussalam's derogation from the provisions in questions raises serious doubt as to the commitment of Brunei Darussalam to the object and purpose of the Convention.

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

According to article 28 (2) of the Convention and to international customary law, as

codified in the Vienna convention on the Law of Treaties, reservations incompatible with the object and purpose of the Convention shall not be permitted. It is in the common interest of States that treaties, to which they have chosen to become parties, are respected as to their object and purpose by all parties, and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.

The Government of Sweden therefore objects to the aforesaid reservations made by Brunei Darussalam to the Convention on the Elimination of All Forms of Discrimination against Women and considers them null and void.

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

## **United Kingdom of Great Britain and Northern Ireland**

[Original: English]  
[28 February 2007]

### **With regard to the reservations made Oman upon accession:**

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

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

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

These objections shall not preclude the entry into force of the Convention between the United Kingdom of Great Britain and Northern Ireland and Oman."

[14 June 2007]

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

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

"The Government of Brunei Darussalam expresses its reservations regarding those provisions of the said Convention that may be contrary to the Constitution of Brunei



Darussalam and to the beliefs and principles of Islam, the official religion of Brunei Darussalam and, without prejudice to the generality of the said reservations, expresses its reservations regarding paragraph 2 of Article 9 and paragraph 1 of Article 29 of the Convention.'

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

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

## Annex I

### Status of declarations, reservations, objections and notifications of withdrawal of reservations by States parties related to articles of the Convention, as at 1 April 2008

<i>State party</i>	<i>Articles for which declarations or reservations have been made</i>	<i>States parties that have raised objections</i>	<i>Articles for which reservations have been withdrawn</i>
Algeria	2 9, para. 2 15, para. 4 16 29, para. 1	Denmark, Germany, Netherlands, Norway, Portugal, Sweden	
Argentina	29, para. 1		
Australia	11 and para. 2 (b)		11 (part)
Austria	[7, para. (b)] 11, para. 1 (f)		7, para. (b)
Bahamas	2, para. (a) 9, para. 2 16, para. 1 (h) 29, para. 1		
Bahrain	2  9, para. 2  15, para. 4  16  29, para. 1	Austria, Denmark, Finland, France, Germany, Greece, Netherlands, Sweden, United Kingdom of Great Britain and Northern Ireland  Austria, Denmark, Finland, France, Germany, Netherlands, Sweden  Austria, Denmark, Finland, France, Germany, Netherlands, Sweden  Austria, Denmark, Finland, France, Germany, Greece, Netherlands, Sweden, United Kingdom of Great Britain and Northern Ireland	
Bangladesh	2  [13, para. (a)]  [16, para. 1 (f)]	Germany, Mexico, Netherlands, Sweden  Germany, Mexico, Netherlands, Sweden  Germany, Mexico, Netherlands, Sweden	13, para. (a)  16, para. 1 (f)
Belarus	[29, para. 1]		29, para. 1

<i>State party</i>	<i>Articles for which declarations or reservations have been made</i>	<i>States parties that have raised objections</i>	<i>Articles for which reservations have been withdrawn</i>
Belgium	[7] [15, paras. 2 and 3]		7 15, paras. 2 and 3
Brazil	[15, para. 4]  [16, paras. 1 (a), (c), (g) and (h)]  29, para. 1	Germany, Netherlands, Sweden  Germany, Netherlands, Sweden	15, para. 4  16, paras. 1 (a), (c), (g) and (h)
Brunei Darussalam	9, para.2 29, para. 1  General	Austria, Belgium, Canada, Czech Republic, Finland, France, Greece, Hungary, Italy, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland	
Bulgaria	[29, para. 1]		29, para. 1
Canada	[11, para. 1 (d)]		11, para. 1 (d)
China	29, para. 1		
Cook Islands *	[2, para. f ] [5, para 5(a)]		2, para f; 5 para 5(a);
Cuba	29, para. 1		
Cyprus	[9, para. 2]	Mexico	9, para. 2

\* See New Zealand

Democratic People's Republic of Korea	2, para. (f)	Austria, Denmark, Finland, France, Germany, Netherlands, Norway, Portugal, Spain, Sweden, United Kingdom of Great Britain and	
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<i>State party</i>	<i>Articles for which declarations or reservations have been made</i>	<i>States parties that have raised objections</i>	<i>Articles for which reservations have been withdrawn</i>
		Northern Ireland	
	9, para. 2	Austria, Denmark, Finland, France, Germany, Netherlands, Norway, Portugal, Spain, Sweden	
Egypt	29, para. 1 2	Germany, Netherlands, Sweden	
	[9, para. 2]	Germany, Mexico, Netherlands, Sweden	9, para. 2
	16	Germany, Mexico, Netherlands, Sweden	
	29, para. 1		
El Salvador	29, para. 1		
Ethiopia	29, para. 1		
Fiji	[5, para. (a), and 9]	Netherlands	5, para. (a), and 9
France	[5, para. (b)] [7] 14, paras. 2 (c) and (h) [15, paras. 2 and 3] [16, paras. 1 (c), (d) and (h)] 16, para. 1 (g) 29, para. 1		5, para. (b) 7 15, paras. 2 and 3 16, paras. 1 (c), (d) and (h)

<i>State party</i>	<i>Articles for which declarations or reservations have been made</i>	<i>States parties that have raised objections</i>	<i>Articles for which reservations have been withdrawn</i>
Germany	General declaration [7, para. (b)]		7, para. (b)
Hungary	[29, para. 1]		29, para. 1
India	5, para. (a) 16, para. 1 16, para. 2 29, para. 1	Netherlands Netherlands Netherlands	
Indonesia	29, para. 1		
Iraq	2, paras. (f) and (g) 9, para. 1 9, para. 2 16 29, para. 1	Germany, Mexico, Netherlands, Sweden Germany, Israel, Mexico, Netherlands, Sweden Germany, Israel, Mexico, Netherlands Germany, Mexico, Netherlands, Sweden Sweden	
Ireland	[9, para. 1] [11, para. 1] [13, para. (a)] [13, paras. (b) and (c)] [15, para. 3] [15, para. 4] 16, paras. 1 (d) and (f)		9, para. 1 11, para. 1 (part) 13, para. (a) (part) 13, paras. (b) and (c) 15, para. 3 15, para. 4
Israel	7, para. (b) 16 29, para. 1		
Jamaica	[9, para. 2]	Germany, Mexico, Netherlands, Sweden	9, para. 2
Jordan	29, para. 1 9, para. 2 15, para. 4 16, paras. 1 (c), (d) and (g)	Sweden Sweden Sweden	
Kuwait	[7, para. (a)] 9, para. 2 16, para. 1 (f)	Austria, Belgium, Denmark, Finland, Netherlands, Norway, Portugal, Sweden Denmark, Finland, Netherlands, Norway, Sweden Austria, Belgium, Denmark, Finland, Netherlands, Norway, Portugal, Sweden	7, para. (a)
Lebanon	29, para. 1 9, para. 2	Austria, Denmark,	

<i>State party</i>	<i>Articles for which declarations or reservations have been made</i>	<i>States parties that have raised objections</i>	<i>Articles for which reservations have been withdrawn</i>
	16, paras. 1 (c), (d), (f) and (g)	Netherlands, Sweden	
	29, para. 1		
Lesotho	[General] 2	Denmark, Finland, Germany, Mexico, Netherlands, Norway	General
Libyan Arab Jamahiriya	General	Denmark, Finland, Germany, Mexico, Netherlands, Norway, Sweden	General [part]
	2		
Liechtenstein	16, paras. 1 (c) and (d) 1		
	[9, para. 2]		9, para. 2
Luxembourg	[7		7
	16, para. 1 (g)]		16, para.1 (g)
Malawi	[5]	Germany, Mexico, Netherlands, Sweden	5
	[29, para. 2]		29, para. 2
Malaysia	General		
	[2, para. (f) 5, para. (a) 7, para. (b) 9, [paras. 1] and 2 11	Denmark, Finland, France, Germany, Netherlands, Norway	2, para. (f)
	16, paras. 1 (a), [(b)], (c), [(d), (e)], (f), (g) and [(h)] 16, para. 2		9, para. 1 16, paras. 1 (b), (d), (e) and (h)
Maldives	7, para. (a) 16	Austria, Canada, Denmark, Finland, Germany, Netherlands, Norway, Portugal, Sweden	
Malta	11, para. 1 13 15 16, para. 1 (e)		
Mauritania	General reservation	Austria, Denmark, Finland, Germany, Netherlands, Norway, Portugal, Sweden, United Kingdom of Great Britain and Northern Ireland	
Mauritius	[11, paras. 1 (b) and (d)]	Germany, Mexico, Netherlands, Sweden	11, paras. 1 (b) and (d)
	[16, para. 1 (g)]	Germany, Mexico, Netherlands, Sweden	16, para. 1 (g)
	29, para. 1		

<i>State party</i>	<i>Articles for which declarations or reservations have been made</i>	<i>States parties that have raised objections</i>	<i>Articles for which reservations have been withdrawn</i>
Micronesia (Federated States of)	2, para. (f)	Finland, Portugal, Sweden, United Kingdom of Great Britain and Northern Ireland	
	5	Finland, Portugal, Sweden	
	11, para. 1 (d)	Finland, Portugal, Sweden, United Kingdom of Great Britain and Northern Ireland	
	11, para. 2 (b)	Finland, Portugal, Sweden	
	16	Finland, Portugal, Sweden	
Monaco	29, para. 1		
	7, para. (b)		
	9		
	16, paras. 1 (e) and (g)		
Mongolia	29, para. 1		
	Declaration		
Mongolia	[29, para. 1]		29, para. 1
Morocco	2	Netherlands	
	9, para. 2	Netherlands	
	15, para. 4	Netherlands	
	16	Netherlands	
	29, para. 1		
Myanmar	29, para. 1		
Netherlands	General declaration		
New Zealand (including Cook Islands and Niue) *	Reservations		
	[11]		11
	[11, para. 2 (b)]		11, para. 2 (b)
* See Cook Islands			
	2, para. (f)	Mexico, Sweden	
	5, para. (a)		
Niger	2, paras. (d) and (f)	Denmark, Finland, Norway, Sweden	
	5, paras. (a) and (b)		
	15, para. (4)		
	16, paras. 1 (c), (e) and (g)		
	29, para. 1		
Oman	9, para. 2	Austria, Belgium, Czech Republic, Finland, France, Greece, Hungary, Italy, Poland, Portugal, Oman, Slovakia, Spain, Sweden, United Kingdom	

<i>State party</i>	<i>Articles for which declarations or reservations have been made</i>	<i>States parties that have raised objections</i>	<i>Articles for which reservations have been withdrawn</i>
		of Great Britain and Northern Ireland	
	15, para. 4		
	16, paras. 1 (a), (c) and (f)		
	29, para. 1		
	General reservation		
Pakistan	General declaration	Austria, Denmark, Finland, Germany, Netherlands, Norway, Portugal	
	29, para. 1		
Poland	[29, para. 1]		29, para. 1
Republic of Korea	[9]	Germany, Mexico, Netherlands, Sweden	9
	16, paras. 1 [(c), (d), (f)] and (g)	Germany, Mexico, Netherlands, Sweden	16, paras. 1 (c), (d) and (f)
Romania	[29, para. 1]		29, para. 1
Russian Federation	[29, para. 1]		29, para. 1
Saudi Arabia	General reservation 9, para. 2	Austria, Denmark, Finland, France, Germany, Ireland, Netherlands, Norway, Portugal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland	
	29, para. 1		
Singapore	[General, re: citizenship]		General re: citizenship
	2	Denmark, Finland, Netherlands, Norway, Sweden	
	11, para. 1		
	16		
	29, para. 1		
Spain	Declaration		
Switzerland	[7, para. (b)]		7, para. (b)
	15, para. 2		
	16, paras. 1 (g) and (h)		



<i>State party</i>	<i>Articles for which declarations or reservations have been made</i>	<i>States parties that have raised objections</i>	<i>Articles for which reservations have been withdrawn</i>
Syrian Arab Republic	2	Austria, Denmark, Estonia, Finland, France, Germany, Greece, Italy, Netherlands, Norway, Romania, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland	
	9, para. 2	Austria, Denmark, Estonia, Finland, France, Germany, Italy, Netherlands, Norway, Romania, Spain, Sweden	
	15, para. 4	Austria, Denmark, Estonia, Finland, France, Germany, Italy, Netherlands, Norway, Romania, Spain, Sweden	
	16, paras. 1 (c), (d), (f) and (g)	Austria, Denmark, Estonia, Finland, France, Germany, Italy, Netherlands, Norway, Romania, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland	
	16, para. 2	Austria, Denmark, Estonia, France, Germany, Greece, Italy, Netherlands, Norway, Romania, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland	
	29, para. 1		
Thailand	[7]	Germany	7
	[9, para. 2]	Germany, Mexico, Netherlands, Sweden	9, para. 2
	[10]	Germany	10
	[11, para. 1 (b)]	Germany	11, para. 1 (b)
	[15, para. 3]	Germany, Mexico, Netherlands, Sweden	15, para. 3
	16	Germany, Mexico, Netherlands, Sweden	
Trinidad and Tobago	29, para. 1		
	29, para. 1		

<i>State party</i>	<i>Articles for which declarations or reservations have been made</i>	<i>States parties that have raised objections</i>	<i>Articles for which reservations have been withdrawn</i>
Tunisia	General declaration		
	9, para. 2	Germany, Netherlands, Sweden	
	15, para. 4	Germany, Netherlands, Sweden	
	16, paras. 1 (c), (d), (f), (g) and (h) 29, para. 1	Germany, Netherlands, Sweden	
Turkey	[9, para. 1 (declaration)]		9, para. 1
	[15, paras. 2 and 4]	Germany, Mexico, Netherlands	15, paras. 2 and 4
	[16, paras. 1 (c), (d), (f) and (g)]	Germany, Mexico, Netherlands	16, paras. 1 (c), (d), (f) and (g)
	29, para. 1		
Ukraine	[29, para. 1]		29, para. 1
United Arab Emirates	2, para. (f)	Austria, Denmark, Finland, France, Germany, Greece, Latvia, Netherlands, Norway, Poland, Portugal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland	
	9	Austria, Finland, France, Germany, Norway, Poland, Portugal, Spain, Sweden	
	15, para. 2	Austria, Denmark, Finland, France, Germany, Greece, Latvia, Netherlands, Norway, Poland, Portugal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland	
	16	Austria, Denmark, Finland, France, Germany, Greece, Latvia, Netherlands, Norway, Poland, Portugal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland	
	29, para. 1		

<i>State party</i>	<i>Articles for which declarations or reservations have been made</i>	<i>States parties that have raised objections</i>	<i>Articles for which reservations have been withdrawn</i>
United Kingdom of Great Britain and Northern Ireland	Declarations 1 [2, paras. (f) and (g)] 9 [10, para. (c)] 11, paras. 1 and 2 [13] 15, [paras. 2], 3 [4]  16, para. 1 (f)	Argentina	2, paras. (f) and (g)  10, para. (c) 11, para. 1 (part) 13 15, para. 2 15, para. 4
United Kingdom of Great Britain and Northern Ireland on behalf of: British Virgin Islands, Falkland Islands (Malvinas), Isle of Man, South Georgia and South Sandwich Islands, and Turks and Caicos Islands	Declarations  1, 2, 9, 11, 13, 15 and 16		
Venezuela	29, para. 1		
Viet Nam	29, para. 1		
Yemen	29, para. 1		

## Annex II

### Articles of the Convention for which States parties have not yet withdrawn their reservations, as at 1 April 2008

<i>Article</i>	<i>State party</i>
1	Liechtenstein, United Kingdom of Great Britain and Northern Ireland and on behalf of: British Virgin Islands, Falkland Islands (Malvinas), South Georgia and South Sandwich Islands, and Turks and Caicos Islands
2	Algeria, Bahrain, Bangladesh, Egypt, Lesotho, Libyan Arab Jamahiriya, Morocco, Singapore, Syrian Arab Republic, United Kingdom of Great Britain and Northern Ireland on behalf of: British Virgin Islands, Falkland Islands (Malvinas), South Georgia and South Sandwich Islands, and Turks and Caicos Islands
2, para. (a)	Bahamas
2, para. (f)	Democratic People's Republic of Korea, Micronesia (Federated States of), New Zealand (Cook Islands), United Arab Emirates
2, paras. (d) and (f)	Niger
2, paras. (f) and (g)	Iraq
5, para. (a)	India, Malaysia
5, paras. (a) and (b)	Micronesia (Federated States of), Niger
7, para. (a)	Maldives
7, para. (b)	Israel, Malaysia, Monaco
9	Monaco, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland and on behalf of: British Virgin Islands, Falkland Islands (Malvinas), South Georgia and South Sandwich Islands, and Turks and Caicos Islands
9, paras. 1 and 2	Iraq
9, para. 2	Algeria, Bahamas, Bahrain, Democratic People's Republic of Korea, Jordan, Kuwait, Lebanon, Malaysia, Morocco, Oman, Saudi Arabia, Syrian Arab Republic, Tunisia

<i>Article</i>	<i>State party</i>
11	Australia, Malaysia, United Kingdom of Great Britain and Northern Ireland and on behalf of: British Virgin Islands, Falkland Islands (Malvinas), South Georgia and South Sandwich Islands, and Turks and Caicos Islands
11, para. 1	Ireland, Malta, Singapore
11, para. 1 (d)	Micronesia (Federated States of)
11, para. 1 (f)	Austria
11, para. 2 (b)	Australia, Micronesia (Federated States of)
13	Malta, United Kingdom on behalf of: British Virgin Islands, Falkland Islands (Malvinas), South Georgia and South Sandwich Islands, and Turks and Caicos Islands
14, paras. 2 (c) and (h)	France
15	Malta
15, para. 2	Switzerland, United Arab Emirates
15, paras. 2 and 3	United Kingdom of Great Britain and Northern Ireland on behalf of: British Virgin Islands, Falkland Islands (Malvinas), South Georgia and South Sandwich Islands, and Turks and Caicos Islands
15, para. 3	United Kingdom of Great Britain and Northern Ireland
15, para. 4	Algeria, Bahrain, Jordan, Morocco, Niger, Oman, Syrian Arab Republic, Tunisia
16	Algeria, Bahrain, Egypt, Iraq, Israel, Maldives, Micronesia (Federated States of), Morocco, Singapore, Thailand, United Arab Emirates
16, para. 1	India
16, paras. 1 (a), (c) and (f)	Oman
16, paras. 1 (a), (c), (f) and (g)	Malaysia
16, paras. 1 (c) and (d)	Libyan Arab Jamahiriya
16, paras. 1 (c), (d), (f) and (g)	Lebanon, Syrian Arab Republic
16, paras. 1 (c), (e), (g)	Niger

<i>Article</i>	<i>State party</i>
16, paras. 1 (c), (d), (f), (g) and (h)	Tunisia
16, paras. 1 (c), (d), (g)	Jordan
16, paras. 1 (d) and (f)	Ireland
16, para. 1 (e)	Malta
16, paras. 1 (e) and (g)	Monaco
16, para. 1 (f)	Kuwait, United Kingdom of Great Britain and Northern Ireland and on behalf of: British Virgin Islands, Falkland Islands (Malvinas), South Georgia and South Sandwich Islands, and Turks and Caicos Islands
16, para. 1 (g)	France, Republic of Korea
16, paras. 1 (g) and (h)	Switzerland
16, para. 1 (h)	Bahamas
16, para. 2	India, Malaysia, Syrian Arab Republic
29, para. 1	Algeria, Argentina, Bahamas, Bahrain, Brazil, China, Cuba, Democratic People's Republic of Korea, Egypt, El Salvador, Ethiopia, France, India, Indonesia, Iraq, Israel, Jamaica, Kuwait, Lebanon, Mauritius, Micronesia (Federated States of), Monaco, Morocco, Myanmar, Niger, Oman, Pakistan, Saudi Arabia, Singapore, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Turkey, United Arab Emirates, Venezuela, Viet Nam, Yemen

### Annex III

#### States parties that maintain reservations to the Convention, as at 1 April 2008

Country	Article 1	Article 2	Article 3	Article 4	Article 5	Article 6	Article 7	Article 8	Article 9	Article 10	Article 11	Article 12	Article 13	Article 14	Article 15	Article 16	Article 29
Algeria		2							9.2						15.4	16	29.1
Argentina																	29.1
Australia																	
Austria																	
Bahamas		2(a)							9.2							16.1(h)	29.1
Bahrain		2							9.2						15.4	16	29.1
																16.1(c)	
Bangladesh		2															
Brazil																	29.1
Brunei <sup>a</sup>									9.2								29.1
China																	29.1
Cuba																	29.1
Democratic People's Republic of Korea		2(f)							9.2								29.1
Egypt <sup>a</sup>		2							9.2							16	29.1
El Salvador																	29.1
Ethiopia																	29.1
France														14.2(c), (h)		16.1(g)	29.1
India					5(a)											16.1, 16.2	29.1
Indonesia																	29.1
Iraq		2(f), (g)							9.1, 9.2							16	29.1
Ireland												11.1				16.1(d), (f)	
Israel							7(b)									16	29.1
Jamaica																	29.1
Jordan									9.2						15.4	16.1(c),	

<i>Country</i>	<i>Article</i> <i>1</i>	<i>Article</i> <i>2</i>	<i>Article</i> <i>3</i>	<i>Article</i> <i>4</i>	<i>Article</i> <i>5</i>	<i>Article</i> <i>6</i>	<i>Article</i> <i>7</i>	<i>Article</i> <i>8</i>	<i>Article</i> <i>9</i>	<i>Article</i> <i>10</i>	<i>Article</i> <i>11</i>	<i>Article</i> <i>12</i>	<i>Article</i> <i>13</i>	<i>Article</i> <i>14</i>	<i>Article</i> <i>15</i>	<i>Article</i> <i>16</i>	<i>Article</i> <i>29</i>
																(d), (g)	
Kuwait									9.2							16.1(f)	29.1
Lebanon									9.2							16.1(c), (d), (f), (g)	29.1
Lesotho		2															
Libyan Arab Jamahiriya		2														16.1(c), (d)	
Liechtenstein	1																
Malaysia					5(a)		7(b)		9.2		11					16.1(a), (c), (f), (g), 16.2	
Maldives							7(a)									16	
Malta											11.1		13		15	16, 16.1(e)	
Mauritania <sup>a</sup>																	
Mauritius																	29.1
Micronesia (Federated States of)		2(f)			5						11.1(d), 11.2(b)					16	29.1
Monaco							7(b)		9							16.1(e), (g)	29.1
Morocco		2							9.2						15.4	16	29.1
Myanmar																	29.1
Niger		2(d), (f)			5(a), (b)										15.4	16.1(c), (e), (g)	29.1
Oman									9.2						15.4	16.1(a), (c), (f)	29.1
Pakistan <sup>a</sup>																	29.1
Republic of Korea																16.1(g)	
Saudi Arabia <sup>a</sup>									9.2								29.1
Singapore		2									11.1					16	29.1
Spain <sup>b</sup>																	



<i>Country</i>	<i>Article</i> <i>1</i>	<i>Article</i> <i>2</i>	<i>Article</i> <i>3</i>	<i>Article</i> <i>4</i>	<i>Article</i> <i>5</i>	<i>Article</i> <i>6</i>	<i>Article</i> <i>7</i>	<i>Article</i> <i>8</i>	<i>Article</i> <i>9</i>	<i>Article</i> <i>10</i>	<i>Article</i> <i>11</i>	<i>Article</i> <i>12</i>	<i>Article</i> <i>13</i>	<i>Article</i> <i>14</i>	<i>Article</i> <i>15</i>	<i>Article</i> <i>16</i>	<i>Article</i> <i>29</i>
Switzerland															15.2	16.1(g), (h)	
Syrian Arab Republic		2							9.2						15.4	16.1(c), (d), (f), (g), 16.2	29.1
Thailand																16	29.1
Trinidad and Tobago																	29.1
Tunisia									9.2						15.4	16.1(c), (d), (f), (g), (h)	29.1
Turkey																	29.1
United Arab Emirates		2(f)							9						15.2	16	29.1
United Kingdom of Great Britain and Northern Ireland	1 <sup>c</sup>								9		11				15.3	16.1(f)	
United Kingdom <sup>d</sup>	1	2							9		11		13		15	16	
Venezuela																	29.1
Viet Nam																	29.1
Yemen																	29.1

<sup>a</sup> General reservation.

<sup>b</sup> Reservation concerning succession to the Spanish Crown.

<sup>c</sup> Declaration.

<sup>d</sup> On behalf of: British Virgin Islands, Falkland Islands (Malvinas), South Georgia and South Sandwich Islands, and Turks and Caicos Islands.