

Reference: C.N.134.2017.TREATIES-IV.9 (Depositary Notification)

CONVENTION AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR
DEGRADING TREATMENT OR PUNISHMENT
NEW YORK, 10 DECEMBER 1984

SWITZERLAND: OBJECTION TO THE RESERVATIONS MADE BY FIJI UPON RATIFICATION¹

The Secretary-General of the United Nations, acting in his capacity as depositary, communicates the following:

The above action was effected on 27 February 2017.

(Translation) (Original: French)

The Swiss Federal Council has examined the reservations made by the Government of the Republic of Fiji upon ratification of the Convention of 10 December 1984 against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

The reservation made regarding the definition of torture contained in article 1 of the Convention, as well as the fact that in general it subordinates the definition of torture to the Constitution of the Republic of Fiji, constitutes a reservation of general scope that may raise doubts about the full commitment of the Republic of Fiji to the object and purpose of the Convention. The Swiss Federal Council notes that, according to article 19 (c) of the Vienna Convention of 23 May 1969 on the Law of Treaties, no reservation incompatible with the object and purpose of the Convention is permissible.

It is in the common interest of States that the object and purpose of the instruments to which they choose to become parties be respected by all parties thereto, and that States be prepared to amend their legislation in order to fulfil their treaty obligations.

¹ Refer to depositary notification C.N.93.2016.TREATIES-IV.9 of 16 March 2016 (Ratification: Fiji).

Consequently, the Swiss Federal Council objects to the reservation made by the Republic of Fiji concerning article 1 of the Convention. This objection shall not preclude the entry into force of the Convention, in its entirety, between Switzerland and the Republic of Fiji.

20 March 2017

A handwritten signature in black ink, consisting of stylized, overlapping loops and lines, positioned below the date.

Attention: Treaty Services of Ministries of Foreign Affairs and of international organizations concerned. Depositary notifications are issued in electronic format only. Depositary notifications are made available to the Permanent Missions to the United Nations in the United Nations Treaty Collection at <https://treaties.un.org>, under "Depositary Notifications (CNs)". In addition, the Permanent Missions, as well as other interested individuals, can subscribe to receive depositary notifications by e-mail through the Treaty Section's "Automated Subscription Services", which is also available at https://treaties.un.org/Pages/Login.aspx?lang=_en.