

Reference: C.N.263.2018.TREATIES-IV.3 (Depositary Notification)

INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL
RIGHTS

NEW YORK, 16 DECEMBER 1966

AUSTRIA: OBJECTION TO THE DECLARATION MADE BY MYANMAR UPON RATIFICATION ¹

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

The above action was effected on 16 May 2018.

(Original: English)

“The Government of Austria has carefully examined the declaration made by the Republic of the Union of Myanmar upon ratification of the International Covenant on Economic, Social and Cultural Rights of 16 December 1966. It considers this declaration to amount to a reservation of a general and indeterminate scope, as it aims at applying a provision of the Covenant only in conformity with the Constitution of Myanmar. However, the Covenant is to be applied in accordance with international law, not in accordance with the legislation of a particular state.

For this reason, Austria considers the reservation to be incompatible with the object and purpose of the Covenant and objects to it. This objection shall however not preclude the entry into force of the Covenant between the Republic of Austria and the Republic of the Union of Myanmar. The Covenant will thus become operative between the two states without Myanmar benefitting from the aforementioned reservation.

Finally, Austria wishes to point out that it does not share the narrow interpretation of the right to self-determination expressed by Myanmar, i.e. that it were excluded that this right ‘apply to any section of people within a sovereign independent state’. At the same time, Austria also underlines the fundamental difference between the right to self-determination and a claim to secession, taking into account the various ways of exercising the right of self-determination including by way of autonomy within a sovereign state.”

22 May 2018



¹ Refer to depositary notification C.N.624.2017.TREATIES-IV.3 of 6 October 2017
(Ratification: Myanmar).