

Reference: C.N.403.2018.TREATIES-IV.3 (Depositary Notification)

INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL
RIGHTS

NEW YORK, 16 DECEMBER 1966

PORTUGAL: 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 7 September 2018.

(Original: English)

“The Government of the Portuguese Republic has examined the declaration made by the Government of the Republic of the Union of Myanmar to Article I of the International Covenant on Economic, Social and Cultural Rights and considers that it is in fact a reservation that seeks to limit the scope of the Covenant on a unilateral basis.

The Government of the Portuguese Republic considers that reservations by which a State limits its responsibilities under the International Covenant on Economic, Social and Cultural Rights by invoking the domestic law or/and religious beliefs and principles raise doubts as to the commitment of the reserving State to the object and purpose of the Convention, as such reservations are likely to deprive the provisions of the Convention of their effect and are contrary to the object and purpose thereof.

The Government of the Portuguese Republic recalls that, according to customary international law as codified in the Vienna Convention on the Law of Treaties, a reservation incompatible with the object and purpose of the Covenant shall not be permitted.

Furthermore, the Government of the Portuguese Republic does not share the interpretation of “the right of self-determination” expressed by the Government of the Republic of the Union of Myanmar which limits the content of this right and is not in line with the definition enshrined in International Law.

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

Thus the Government of the Portuguese Republic objects to this reservation.

This objection shall not preclude the entry into force of the Covenant between the Portuguese Republic and the Republic of the Union of Myanmar.”

11 September 2018

A handwritten signature in black ink, consisting of several loops and a horizontal line at the bottom.