INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS
NEW YORK, 16 DECEMBER 1966

IRELAND: OBJECTION TO THEDECLARATION MADE BY MYANMAR UPON RATIFICATION

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

The above action was effected on 4 October 2018.

(Original: English)

“Ireland has examined the declaration made by Myanmar to the International Covenant on Economic, Social and Cultural Rights at the time of its ratification on 6 October 2017.

Ireland is of the view that the declaration of Myanmar, purporting to subject the application of the term “the right of self-determination” to the provisions of the Constitution of the Republic of the Union of Myanmar, in substance constitutes a reservation limiting the scope of the Covenant.

Ireland considers that a reservation which consists of a general reference to the Constitution of the reserving State and which does not clearly specify the extent of the derogation from the provision of the Covenant may cast doubt on the commitment of the reserving state to fulfil its obligations under the Covenant. Ireland is furthermore of the view that such a reservation may undermine the basis of international treaty law and is incompatible with the object and purpose of the Covenant. Ireland recalls that under international treaty law a reservation incompatible with the object and purpose of the Covenant shall not be permitted.

Ireland therefore objects to the aforesaid reservation made by Myanmar to Article 1 of the International Covenant on Economic, Social and Cultural Rights.

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

4 October 2018

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