

Reference: C.N.587.2018.TREATIES-IV.15 (Depositary Notification)

CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES  
NEW YORK, 13 DECEMBER 2006

ROMANIA: OBJECTION TO THE DECLARATION MADE BY LIBYA UPON RATIFICATION <sup>1</sup>

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

The above action was effected on 12 December 2018.

(Original: English)

“Romania has examined the declaration made upon ratification by the Government of State of Libya to the Convention on the Rights of Persons with Disabilities (New York, 2006).

Romania considers that the declaration aiming to interpret the article 25 (a) of the Convention in the light of the Islamic sharia and national legislation qualifies it as a reservation of undefined character, inadmissible under the Vienna Convention on the Law of the Treaties. In accordance with article 27 of Vienna Convention on the Law of Treaties, it is the duty of States Parties to a treaty to ensure that their internal law allows the application and observance of the treaty.

From that perspective, Romania remarks that the reservation is contrary to the terms of article 4, paragraph 1, letters a) and b) of the Convention, according to which States Parties undertake “to adopt all appropriate legislative, administrative and other measures for the implementation of the rights recognized in the present Convention” and “to take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices that constitute discrimination against persons with disabilities”.

Moreover, the general nature of the reservations does not allow to analyze its compatibility with the scope and purpose of the Convention as required by article 46 (1) of the Convention and limits the understanding as to the extent of the obligations assumed by State of Libya.”

13 December 2018



<sup>1</sup> Refer to depositary notification C.N.75.2018.TREATIES-IV.15 of 15 February 2018 (Ratification: Libya).