FINLAND: OBJECTION TO THE RESERVATION AND STATEMENT MADE BY QATAR UPON ACCESSION

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

The above action was effected on 14 May 2019.

(Original: English)

“The Government of Finland is pleased to learn that the State of Qatar has become party to the International Covenant on Economic, Social and Cultural Rights. However, the Government of Finland has carefully examined the reservation to Article 3 and the statement concerning Article 8 made by the State of Qatar upon accession, and is of the view that they raise certain concerns. In fact, also the statement amounts to a reservation that purports to subject the application of one of the Covenant’s provisions to national legislation.

Both reservations make the application of these provisions of the Covenant subject to the Islamic Sharia or national legislation. Thus, the Government of Finland is of the opinion that the State of Qatar has submitted reservations which cast doubts on the commitment of Qatar to the object and purpose of the Covenant. Such reservations are, furthermore, subject to the general principle of treaty interpretation according to which a party may not invoke the provisions of its domestic law as justification for a failure to perform its treaty obligations.

The above-mentioned reservations are incompatible with the object and purpose of the Covenant and are accordingly not permitted under Article 19 sub-paragraph (c) of the Vienna Convention on the Law of Treaties. Therefore, the Government of Finland objects to these reservations. This objection shall not preclude the entry into force of the Covenant between the Republic of Finland and the State of Qatar. The Covenant will thus enter into force between the two states without Qatar benefiting from the aforementioned reservation.”

15 May 2019

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