

Reference: C.N.57.2019.TREATIES-IV.15 (Depositary Notification)

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

SWITZERLAND: OBJECTION TO THE DECLARATION MADE BY LIBYA UPON RATIFICATION

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

The above action was effected on 14 February 2019.

(Translation) (Original: French)

The Swiss Federal Council has examined the declaration made by the State of Libya upon the ratification of the Convention on the Rights of Persons with Disabilities of 13 December 2006.

The declaration, which subjects the provisions of article 25 (a) of the Convention in general to the Islamic sharia and national legislation amounts to a reservation of general scope which may cast doubts on the full commitment of the State of Libya as to the object and purpose of the Convention. The Swiss Federal Council recalls that, according to article 46, paragraph 1 of the Convention and to article 19 (c) of the Vienna Convention of 23 May 1969 on the Law of Treaties, no reservation incompatible with the object and purpose of the Convention is permissible.

It is in the common interest of States that the object and purpose of the instruments to which they choose to join be respected by all parties thereto, and that States be prepared to amend their legislation in order to fulfil their treaty obligations.

Consequently, the Swiss Federal Council objects to the reservation made by the State of Libya. This objection shall not preclude the entry into force of the Convention, in its entirety, between Switzerland and the State of Libya.

18 February 2019

