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

The above action was effected on 7 September 2023.

(Original: English)

“N° SN78-59


The Republic of Lithuania objects to the said ‘Interpretative Declaration’ in so far as it seeks to modify treaty obligations and as such amounts to an invalid reservation that is devoid of any legal effect.

The ‘Interpretative Declaration’ posits that a State which has consented to the jurisdiction of the International Court of Justice pursuant to Article 20 (2) of the Protocol would not be bound by such provision vis-à-vis another State Party which has withdrawn its reservation to that provision pursuant to Article 20 (4) of the Protocol ‘in situations when disputes concerning the interpretation or application of the Protocol have arisen from and/or become the subject of peaceful settlement, inter alia through negotiations and/or arbitration, before, on, or immediately after the withdrawal of such a reservation’.

Pursuant to Article 20 (4) of the Protocol, however, ‘[a]ny State Party that has made a reservation in accordance with paragraph 3 of this article may at any time withdraw that reservation by notification to the Secretary-General of the United Nations’. Furthermore, pursuant to Article 20 (3) of the Protocol, a reservation to Article 20 (2) can only be made ‘at the time of signature, ratification, acceptance or approval of or accession to this Protocol’.

Because the Republic of Belarus acceded the Protocol without making a reservation to Article 20 (2), it cannot now modify or exclude its effect vis-à-vis a State which, under Article 20 (4), has exercised its right to withdraw ‘at any time’ its own reservation to Article 20 (2).

The Permanent Mission of the Republic of Lithuania to the United Nations avails itself of this opportunity to renew to the Secretary-General of the United Nations the assurances of its highest consideration.

New York, 7 September 2023”

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22 September 2023