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INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS. NEW YORK, 16 DECEMBER 1966 [*United Nations, Treaty Series, vol. 993, I-14531.*]

OBJECTION TO THE DECLARATION MADE BY MYANMAR UPON RATIFICATION*

Portugal

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PACTE INTERNATIONAL RELATIF AUX DROITS ÉCONOMIQUES, SOCIAUX ET CULTURELS. NEW YORK, 16 DÉCEMBRE 1966 [*Nations Unies, Recueil des Traités, vol. 993, I-14531.*]

OBJECTION À LA DÉCLARATION FORMULÉE PAR LE MYANMAR LORS DE LA RATIFICATION*

Portugal

Dépôt de la notification auprès du Secrétaire général de l'Organisation des Nations Unies : 7 septembre 2018

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[ENGLISH TEXT – TEXTE ANGLAIS]

“The Government of the Portuguese Republic has examined the declaration made by the Government of the Republic of the Union of Myanmar to Article I of the International Covenant on Economic, Social and Cultural Rights and considers that it is in fact a reservation that seeks to limit the scope of the Covenant on a unilateral basis.

The Government of the Portuguese Republic considers that reservations by which a State limits its responsibilities under the International Covenant on Economic, Social and Cultural Rights by invoking the domestic law or/and religious beliefs and principles raise doubts as to the commitment of the reserving State to the object and purpose of the Convention, as such reservations are likely to deprive the provisions of the Convention of their effect and are contrary to the object and purpose thereof.

The Government of the Portuguese Republic recalls that, according to customary international law as codified in the Vienna Convention on the Law of Treaties, a reservation incompatible with the object and purpose of the Covenant shall not be permitted.

Furthermore, the Government of the Portuguese Republic does not share the interpretation of “the right of self-determination” expressed by the Government of the Republic of the Union of Myanmar which limits the content of this right and is not in line with the definition enshrined in International Law.

Thus the Government of the Portuguese Republic objects to this reservation.

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