

No. 18232. VIENNA CONVENTION ON THE LAW OF TREATIES. CONCLUDED AT VIENNA ON 23 MAY 1969¹

OBJECTION to a reservation and a declaration made by the Union of Soviet Socialist Republics upon accession²

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UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

“The Government of the United Kingdom of Great Britain and Northern Ireland object to the reservation entered by the Government of the Union of Soviet Socialist Republics² by which it rejects the application of Article 66 of the Convention. Article 66 provides in certain circumstances for the compulsory settlement of disputes by the International Court of Justice (in the case of disputes concerning the application or interpretation of Articles 53 or 64) or by a conciliation procedure (in the case of the rest of Part V of the Convention). These provisions are inextricably linked with the provisions of Part V to which they relate. Their inclusion was the basis on which those parts of Part V which represent progressive development of international law were accepted by the Vienna Conference. Accordingly the United Kingdom does not consider that the treaty relations between it and the Soviet Union include Part V of the Convention.

With respect to any other reservation the intention of which is to exclude the application, in whole or in part, of the provisions of Article 66, to which the United Kingdom has already objected or which is made after the reservation by the Government of the Union of Soviet Socialist Republics, the United Kingdom will not consider its treaty relations with the State which has formulated or will formulate such a reservation as including those provisions of Part V of the Convention with regard to which the application of Article 66 is rejected by the reservation.

The instrument of accession deposited by the Union of Soviet Socialist Republics included also a declaration that it reserves the right to take “any measures” to safeguard its interests in the event of the non-observance by other States of the provisions of the Convention. The purpose and scope of this statement is unclear; but, given that the Union of Soviet Socialist Republics has rejected the application of Article 66 of the Convention, it would seem to apply rather to acts by Parties to the Convention in respect of treaties where such acts are in breach of the Convention. In such circumstances a State would not be limited in its response to the measures in Article 60: under customary international law it would be entitled to take other measures, provided always that they are reasonable and in proportion to the breach.”

Registered ex officio on 5 June 1987.

¹ United Nations, *Treaty Series*, vol. 1155, p. 331, and annex A in volumes 1197, 1223, 1237, 1261, 1268, 1272, 1329, 1393, 1405, 1423, 1425, 1426, 1438, 1458 and 1460.

² *Ibid.*, vol. 1425, No. A-18232.