The Government of the Czech Republic has examined the contents of the reservation made by Brunei Darussalam on 18 April 2016 upon ratification of the United Nations Convention on the Rights of Persons with Disabilities, according to which “Brunei Darussalam would not consider itself bound by any provisions of the Convention contrary to the Constitution of Brunei Darussalam and to the beliefs and principles of Islam”.

The Government of the Czech Republic is of the view that the reservation to any provision of the Convention contrary to the Constitution of Brunei Darussalam and to the beliefs and principles of Islam has a general and indeterminate scope, since it does not sufficiently specify to what extent Brunei Darussalam considers itself bound by the provisions of the Convention. Furthermore, the Czech Republic considers it unacceptable under the customary international law, as codified in Article 27 of the Vienna Convention on the Law of Treaties, to support a reservation to a treaty by references to domestic law. Thus, this general reservation referring to domestic and religious laws without specifying its contents also raises concern regarding the extent to which Brunei Darussalam is committed to the object and purpose of the Convention.

The Government of the Czech Republic wishes to recall that, according to article 46 paragraph 1 of the Convention, as well as 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 a treaty shall not be permitted and that such a reservation is null and void and therefore devoid of any legal effect.

The Government of the Czech Republic, therefore, objects to the aforementioned reservation made by Brunei Darussalam. This objection shall not preclude the entry into force of the Convention between the Czech Republic and Brunei Darussalam. The Convention enters into force in its entirety between the Czech Republic and Brunei Darussalam, without Brunei Darussalam benefiting from its reservation.
RATIFICATION

Democratic People’s Republic of Korea

Deposit of instrument with the Secretary-General of the United Nations:
6 December 2016

Date of effect: 5 January 2017

Registration with the Secretariat of the United Nations: ex officio, 6 December 2016

RATIFICATION

République populaire démocratique de Corée


Date de prise d’effet : 5 janvier 2017

RATIFICATION

Micronesia (Federated States of)
Deposit of instrument with the Secretary-General of the United Nations: 7 December 2016
Date of effect: 6 January 2017
Registration with the Secretariat of the United Nations: ex officio, 7 December 2016

RATIFICATION

Samoa
Deposit of instrument with the Secretary-General of the United Nations: 2 December 2016
Date of effect: 1 January 2017
Registration with the Secretariat of the United Nations: ex officio, 2 December 2016

RATIFICATION

Micronésie (États fédérés de)
Date de prise d’effet : 6 janvier 2017

RATIFICATION

Samoa
Date de prise d’effet : 1er janvier 2017