

## ROMANIA

CERD

### **RESERVATIONS AND DECLARATIONS**

*(Unless otherwise indicated, the reservations and declarations were made upon ratification, accession or succession)*

The Council of State of the Socialist Republic of Romania declares that the provisions of articles 17 and 18 of the International Convention on the Elimination of All Forms of Racial Discrimination are not in accordance with the principle that multilateral treaties, the aims and objectives of which concern the world community as a whole, should be open to participation by all States.

#### Note

On 19 August 1998, the Government of Romania notified the Secretary-General that it had decided to withdraw its reservation made with regard to article 22 of the Convention made upon accession. For the text of the reservation, see United Nations, Treaty Series, vol. 763, p. 362.

*[Ed. note: as follows:*

*"The Socialist Republic of Romania declares that it does not consider itself bound by the provisions of article 22 of the International Convention on the Elimination of All Forms of Racial Discrimination, whereby any dispute between two or more States parties with respect to the interpretation or application of the Convention which is not settled by negotiation or by procedures expressly provided for in the Convention shall, at the request of any of the parties to the dispute, be referred to the International Court of Justice.*

*The Socialist Republic of Romania considers that such disputes may be referred to the International Court of Justice only with the consent of all parties to the dispute in each individual case.*

*The Council of State of the Socialist Republic of Romania declares that the provisions of articles 17 and 18 of the International Convention on the Elimination of All Forms of Racial Discrimination are not in accordance with the principle that multilateral treaties, the aims and objectives of which concern the world community as a whole, should be open to participation by all States.*

*The Government of the Socialist Republic of Romania considers the signature by the so-called Chiang Kai-shek authorities of the International Convention on the Elimination of All Forms of Racial Discrimination, adopted by the United Nations General Assembly on 21 December 1965, as being null and void, since the only Government to assume*

*obligations on behalf of China and to represent it at the international level is the Government of the People's Republic of China."]*  
(Note 26, Chapter IV.2, Multilateral Treaties Deposited with the Secretary-General)

## **OBJECTIONS MADE TO OTHER STATES PARTIES RESERVATIONS AND DECLARATIONS**

*(Ed. note: for the text targeted by the following objections, see the Reservations and Declarations of the State which is the subject of the objection)*

3 December 2003

With regard to the general interpretative declaration made by Thailand upon accession:

"The Government of Romania has examined the general interpretative declaration made by the Government of Thailand at the time of its accession to the Convention on the Elimination of all Forms of Racial Discrimination.

The Government of Romania considers that the general interpretative declaration is, in fact, a reservation formulated in general terms, that not allows to clearly identify the obligations assumed by Thailand with regard to this legal instrument and, consequently, to state the consistency of this reservation with the purpose and object of the above-mentioned Convention, in accordance with the provisions of article 19 (c) of the Vienna Convention on the Law of Treaties (1969).

The Government of Romania therefore objects to the aforesaid reservation made by Thailand to the Convention on the Elimination of all Forms of Racial Discrimination.

This objection, however, shall not preclude the entry into force of the Convention between the Government of Romania and Thailand."

## **DECLARATION RE: ARTICLE 14**

21 March 2003

"Romania declares, in accordance with article 14 paragraph 1 of the International Convention on the Elimination of All Forms of Racial Discrimination, that it recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from persons within its jurisdiction claiming to be victims of a violation by Romania of any of the rights set forth in the Convention, to which Romania acceded by Decree no. 345 of 1970.

Without prejudice to the article 14 paragraphs 1 and 2 of the International Convention on the Elimination of All Forms of Racial Discrimination, Romania considers that the mentioned

provisions do not confer to the Committee on the Elimination of Racial Discrimination the competence of examining communications of persons invoking the existence and infringement of collective rights.

The body which is competent in Romania, according to domestic law, to receive and to examine communications in accordance with article 14 paragraph 2 of the International Convention on the Elimination of All Forms of Racial Discrimination is the National Council for Combatting Discrimination established by the Government Decision no. 1194 of 2001."