

UNITED ARAB EMIRATES

CRC

RESERVATIONS AND DECLARATIONS

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

Reservations:

Article 7:

The United Arab Emirates is of the view that the acquisition of nationality is an internal matter and one that is regulated and whose terms and conditions are established by national legislation.

Article 14:

The United Arab Emirates shall be bound by the tenor of this article to the extent that it does not conflict with the principles and provisions of Islamic law.

Article 17:

While the United Arab Emirates appreciates and respects the functions assigned to the mass media by the article, it shall be bound by its provisions in the light of the requirements of domestic statutes and laws and, in accordance with the recognition accorded them in the preamble to the Convention, such a manner that the country's traditions and cultural values are not violated.

Article 21:

Since, given its commitment to the principles of Islamic law, the United Arab Emirates does not permit the system of adoption, it has reservations with respect to this article and does not deem it necessary to be bound by its provisions.

OBJECTIONS MADE TO STATE PARTY'S RESERVATIONS AND DECLARATIONS

(Unless otherwise indicated, the objections were made upon ratification, accession or succession)

Italy, 14 June 1996

With regard to the reservations made by Qatar upon ratification:

"The Government of the Italian Republic considers that such a reservation, which seeks to limit the responsibilities of Qatar under the Convention by invoking general principles of national law,

may raise doubts as to the commitment of Qatar to the object and purpose of the Convention and, moreover, contributes to undermining the basis of international treaty law. It is common interest of States that treaties to which they have chosen to become Parties should be respected, as to the objects and the purpose, by all Parties. The Government of the Italian Republic therefore objects to this reservation. This objection does not constitute an obstacle to the entry into force of the Convention between the Government of the Italian Republic and the State of Qatar."

Subsequently, the Secretary-General received, from the Government of Italy, objections of the same nature as the one above with regard to reservations made by the following States on the dates indicated hereinafter:

...

- 2 April 1998: with regard to the reservation to articles 14, 17 and 21 made by the United Arab Emirates upon accession.

Netherlands

With regard to the reservations made by Djibouti, Indonesia, Iran (Islamic Republic of), Pakistan and the Syrian Arab Republic upon ratification:

"The Government of the Kingdom of the Netherlands considers that such reservations, which seek to limit the responsibilities of the reserving State under the Convention by invoking general principles of national law, may raise doubts as to the commitment of these States to the object and purpose of the Convention and moreover, contribute to undermining the basis of international treaty law. It is in the common interest of States that treaties to which they have chosen to become parties should be respected, as to object and purpose, by all parties. the Government of the Kingdom of the Netherlands therefore objects to these reservations.

This objection does not constitute an obstacle to the entry into force of the Convention between the Kingdom of the Netherlands and the aforementioned States."

Subsequently, the Secretary-General received, from the Government of the Netherlands, objections of the same nature as the one above with regard to reservations made by the following States on the dates indicated hereinafter:

...

- 6 April 1998: with regard to the reservation made to article 14 by the United Arab Emirates upon accession. Moreover, the Government of the Netherlands made the following declaration with regard to the reservation made by the Government of the United Arab Emirates with respect to article 7: "The Government of the Kingdom of the Netherlands assumes that the United Arab Emirates shall ensure the implementation of the rights mentioned in article 7, first paragraph, of [the Convention] not only in accordance with its national law but also with its obligations under the relevant international instrument in this field."

Note

On 16 November 1998, the Secretary-General received from the Government of Austria a communication with regard to reservations made by the United Arab Emirates upon accession:

Same text, identical in essence, as the objection made with regard to Malaysia under "Objections".]

[*Ed. note: as follows:*

18 June 1996

With regard to the reservations made by Malaysia upon accession:

"Under article 19 of the Vienna Convention on the Law of Treaties which is reflected in article 51 of the [Convention] a reservation, in order to be admissible under international law, has to be compatible with the object and purpose of the treaty concerned. A reservation is incompatible with object and purpose of a treaty if it intends to derogate from provisions the implementation of which is essential to fulfilling its object and purpose.

The Government of Austria has examined the reservation made by Malaysia to the [Convention]. Given the general character of these reservations a final assessment as to its admissibility under international law cannot be made without further clarification.

Until the scope of the legal effects of this reservation is sufficiently specified by Malaysia, the Republic of Austria considers these reservations as not affecting any provision the implementation of which is essential to fulfilling the object and purpose of the [Convention].

Austria, however, objects to the admissibility of the reservations in question if the application of this reservation negatively affects the compliance of Malaysia ... with its obligations under the [Convention] essential for the fulfilment of its object and purpose.

Austria could not consider the reservation made by Malaysia ... as admissible under the regime of article 51 of the [Convention] and article 19 of the Vienna Convention on the Law of Treaties unless Malaysia ... , by providing additional information or through subsequent practice to ensure [s] that the reservations are compatible with the provisions essential for the implementation of the object and purpose of the [Convention]".]

(Note 54, Chapter IV.11, Multilateral Treaties Deposited with the Secretary-General)