CANADA

CEDAW

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

Note

On 28 May 1992, the Government of Canada notified the Secretary-General its decision to withdraw the declaration to article 11 (1) (d) of the Convention, made upon ratification. For the text of the said declaration, see United Nations, Treaty Series, vol. 1257, p. 496.

> [*Ed. note: as follows*:
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> *"The Government of Canada states that the competent legislative authorities within Canada have addressed the concept of equal pay referred to in article 11 (1) (d) by legislation which requires the establishment of rates of remuneration without discrimination on the basis of sex. The competent legislative authorities within Canada will continue to implement the object and purpose of article 11 (1) (d) and to that end have developed, and where appropriate will continue to develop, additional legislative and other measures."*]

(Note 12, Chapter IV.8, 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 objection, see the Reservations and Declarations of the State which is the subject of the objection)

25 October 1994

With regard to the reservations made by Maldives upon accession:

"In the view of the Government of Canada, this reservation is incompatible with the object and purpose of the Convention (article 28, paragraph 2). The Government of Canada therefore enters its formal objection to this reservation. This objection shall not preclude the entry into force of the Convention as between Canada and the Republic of Maldives."

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14 June 2007

With regard to the reservations made by Brunei Darussalam upon accession:

"Canada has carefully examined the reservation formulated by Brunei Darussalam when it acceded, on 24 May 2006, to the Convention on the Elimination of Al Forms of Discrimination against Women, adopted in New York on 18 December 1979.

Canada notes that the reservation formulated with respect to article 9, paragraph 2, concerns a fundamental provision of the Convention and is therefore incompatible with the object and purpose of that instrument.

In addition, the reservation makes the implementation of the Convention's provisions contingent upon their compatibility with the Constitution of Brunei Darussalam and the beliefs and principles of Islam, the official religion of Brunei Darussalam. The Government of Canada notes that such general reservation of unlimited scope and undefined character does not clearly define for the other States Parties to the Convention the extent to which Brunei Darussalam has accepted the obligations of the Convention and creates serious doubts as to the commitment of the State to fulfil its obligations under the Convention. Accordingly, the Government of Canada considers this reservation to be incompatible with the object and purpose of the Convention.

It is in the common interest of States that treaties to which they have chosen to become party are respected, as to their object and purpose by all parties and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.

Canada recalls that, under article 28, paragraph 2, of the Convention, reservations incompatible with the object and purpose of the Convention are not permitted.

Under 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 is not permitted.

In consequence, Canada objects to the reservation formulated by Brunei Darussalam with respect to the Convention on the Elimination of All Forms of Discrimination against Women. This objection shall not preclude the entry into force of the Convention between Canada and Brunei Darussalam. The Convention shall enter into force in its entirety, without Brunei Darussalam benefiting from its reservation."