

LEBANON

CEDAW

RESERVATIONS AND DECLARATIONS

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

Reservations:

The Government of the Lebanese Republic enters reservations regarding article 9 (2), and article 16 (1) (c) (d) (f) and (g) (regarding the right to choose a family name).

In accordance with paragraph 2 of article 29, the Government of the Lebanese Republic declares that it does not consider itself bound by the provisions of paragraph 1 of that article.

OBJECTIONS MADE TO STATE PARTY'S RESERVATIONS AND DECLARATIONS

Austria, 20 February 1998

With regard to reservations made by Lebanon upon accession:

[Same objection, mutatis mutandis, as the one made for Pakistan.]

[Ed. note: as follows:

With regard to the declaration made by Pakistan upon accession:

"Austria is of the view that a reservation by which a State limits its responsibilities under the Convention in a general and unspecified manner by invoking internal law creates doubts as to the commitment of the Islamic Republic of Pakistan with its obligations under the Convention, essential for the fulfillment of its object and purpose.

It is in the common interests of States that treaties to which they have chosen to become Parties 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.

Austria is further of the view that a general reservation of the kind made by the Government of the Islamic Republic of Pakistan, which does not clearly specify the provisions of the Convention to which it applies and the extent of the derogation therefrom, contributes to undermining the basis of international treaty law.

Given the general character of this reservation a final assessment as to its admissibility under international law cannot be made without further clarification.

According to international law a reservation is inadmissible to the extent as its application negatively affects the compliance by a State with its obligations under the Convention essential for the fulfillment of its object and purpose.

Therefore, Austria cannot consider the reservation made by the Government of the Islamic Republic of Pakistan as admissible unless the Government of the Islamic Republic of Pakistan, by providing additional information or through subsequent practice, ensures that the reservation is compatible with the provisions essential for the implementation of the object and purpose of the Convention.

This view by Austria would not preclude the entry into force in its entirety of the Convention between Pakistan and Austria."]

Netherlands, 15 May 1998

With regard to the reservations regarding article 9, paragraph 2, and article 16 first paragraph (c), (d), (f) and (g) made by Lebanon upon accession:

[Same objection, mutatis mutandis, as the one made for Kuwait.]

[Ed. note: as follows:

With regard to the reservations made by Kuwait upon accession:

"The Government of the Kingdom of the Netherlands considers the reservations made by Kuwait incompatible with the object and purpose of the Convention (article 28, paragraph 2).

The Government of the Kingdom of the Netherlands therefore objects to the [said] reservations. These objections shall not preclude the entry into force of the Convention between Kuwait and the Kingdom of the Netherlands."]

Sweden

17 March 1986

"The Government of Sweden considers that [the following reservations] are incompatible with the object and purpose of the Convention (article 28, paragraph 2) and therefore objects to them:

...

"Indeed the reservations in question, if put into practice, would inevitably result in discrimination against women on the basis of sex, which is contrary to everything the Convention stands for. It should also be borne in mind that the principles of the equal rights of men and women and of non-discrimination on the basis of sex are set forth in the Charter of the United Nations as one of its purposes, in the Universal Declaration of Human Rights of 1948 and in various multilateral instruments, to which Thailand, Tunisia and Bangladesh are parties.

...

"In this context the Government of Sweden wishes to take this opportunity to make the observation that the reason why reservations incompatible with the object and purpose of a treaty are not acceptable is precisely that otherwise they would render a basic international obligation of a contractual nature meaningless. Incompatible reservations, made in respect of the Convention on the elimination of all forms of discrimination against women, do not only cast doubts on the commitments of the reserving states to the objects and purpose of this Convention, but moreover, contribute to undermine the basis of international contractual law. It is in the common interest of states that treaties to which they have chosen to become parties also are respected, as to object and purpose, by other parties."

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

...

- 27 January 1998 with regard to the reservations made by Lebanon upon accession.

...

Note

On 26 June 1998, the Secretary-General received from the Government of Denmark the following communication with regard to the reservation made by Lebanon upon accession in respect of article 9, paragraph 2, and article 16, paragraph 1 c), d), f) and g) in as much as the last paragraph deals with the right to choose a family name:

The Government of Denmark is of the view that the reservations made by the Government of Lebanon raise doubts as to the commitment of Lebanon to the object and purpose of the Convention and would recall that, according to article 28, paragraph 2 of the Convention, a reservation incompatible with the object and purpose of the present Convention shall not be permitted. For this reason, the Government of Denmark objects to the said reservations made by the Government of Lebanon.

The Government of Denmark recommends the Government of Lebanon to reconsider their reservations to [the Covenant].

(Note 19, Chapter IV.8, Multilateral Treaties Deposited with the Secretary-General)