9. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

New York, 10 December 1984

ENTRY INTO FORCE: 26 June 1987, in accordance with article 27(1).[1]

REGISTRATION: 26 June 1987, No. 24841.

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Note: The Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, was adopted by resolution 39/46[2] of 10 December 1984 at the thirty-ninth session of the General Assembly of the United Nations. The Convention is open for signature by all States, in accordance with its article 25.

Participant[3]	*Signature*	*Accession(a), Succession(d), Ratification*
Afghanistan	4 Feb 1985	1 Apr 1987
Albania		11 May 1994 a
Algeria	26 Nov 1985	12 Sep 1989
Andorra	5 Aug 2002	22 Sep 2006
Angola	24 Sep 2013	2 Oct 2019
Antigua and Barbuda		19 Jul 1993 a
Argentina	4 Feb 1985	24 Sep 1986
Armenia		13 Sep 1993 a
Australia	10 Dec 1985	8 Aug 1989
Austria	14 Mar 1985	29 Jul 1987
Azerbaijan		16 Aug 1996 a
Bahamas	16 Dec 2008	31 May 2018
Bahrain		6 Mar 1998 a
Bangladesh		5 Oct 1998 a
Belarus	19 Dec 1985	13 Mar 1987
Belgium	4 Feb 1985	25 Jun 1999
Belize		17 Mar 1986 a
Benin		12 Mar 1992 a
Bolivia (Plurinational State of)	4 Feb 1985	12 Apr 1999
Bosnia and Herzegovina[4]		1 Sep 1993 d
Botswana	8 Sep 2000	8 Sep 2000
Brazil	23 Sep 1985	28 Sep 1989
Brunei Darussalam	22 Sep 2015	
Bulgaria	10 Jun 1986	16 Dec 1986
Burkina Faso		4 Jan 1999 a
Burundi		18 Feb 1993 a
Cabo Verde		4 Jun 1992 a
Cambodia		15 Oct 1992 a
Cameroon		19 Dec 1986 a
Canada	23 Aug 1985	24 Jun 1987
Central African Republic		11 Oct 2016 a
Chad		9 Jun 1995 a
Chile	23 Sep 1987	30 Sep 1988
China[5,6]	12 Dec 1986	4 Oct 1988
Colombia	10 Apr 1985	8 Dec 1987
Comoros	22 Sep 2000	25 May 2017
Congo		30 Jul 2003 a
Costa Rica	4 Feb 1985	11 Nov 1993
Côte d'Ivoire		18 Dec 1995 a
Croatia[4]		12 Oct 1992 d
Cuba	27 Jan 1986	17 May 1995
Cyprus	9 Oct 1985	18 Jul 1991
Czech Republic[7]		22 Feb 1993 d
Democratic Republic of the Congo		18 Mar 1996 a
Denmark	4 Feb 1985	27 May 1987
Djibouti		5 Nov 2002 a
Dominican Republic	4 Feb 1985	24 Jan 2012
Ecuador	4 Feb 1985	30 Mar 1988
Egypt		25 Jun 1986 a
El Salvador		17 Jun 1996 a
Equatorial Guinea		8 Oct 2002 a
Eritrea		25 Sep 2014 a
Estonia		21 Oct 1991 a
Eswatini		26 Mar 2004 a
Ethiopia		14 Mar 1994 a
Fiji	1 Mar 2016	14 Mar 2016

Participant[3]	*Signature*	*Accession(a), Succession(d), Ratification*
Finland	4 Feb 1985	30 Aug 1989
France	4 Feb 1985	18 Feb 1986
Gabon	21 Jan 1986	8 Sep 2000
Gambia	23 Oct 1985	28 Sep 2018
Georgia		26 Oct 1994 a
Germany[3,8]	13 Oct 1986	1 Oct 1990
Ghana	7 Sep 2000	7 Sep 2000
Greece[8]	4 Feb 1985	6 Oct 1988
Grenada		26 Sep 2019 a
Guatemala		5 Jan 1990 a
Guinea	30 May 1986	10 Oct 1989
Guinea-Bissau	12 Sep 2000	24 Sep 2013
Guyana	25 Jan 1988	19 May 1988
Haiti	16 Aug 2013	
Holy See		26 Jun 2002 a
Honduras		5 Dec 1996 a
Hungary	28 Nov 1986	15 Apr 1987
Iceland	4 Feb 1985	23 Oct 1996
India	14 Oct 1997	
Indonesia	23 Oct 1985	28 Oct 1998
Iraq		7 Jul 2011 a
Ireland	28 Sep 1992	11 Apr 2002
Israel	22 Oct 1986	3 Oct 1991
Italy	4 Feb 1985	12 Jan 1989
Japan		29 Jun 1999 a
Jordan		13 Nov 1991 a
Kazakhstan		26 Aug 1998 a
Kenya		21 Feb 1997 a
Kiribati		22 Jul 2019 a
Kuwait		8 Mar 1996 a
Kyrgyzstan		5 Sep 1997 a
Lao People's Democratic Republic	21 Sep 2010	26 Sep 2012
Latvia		14 Apr 1992 a
Lebanon		5 Oct 2000 a
Lesotho		12 Nov 2001 a
Liberia		22 Sep 2004 a
Libya		16 May 1989 a
Liechtenstein	27 Jun 1985	2 Nov 1990
Lithuania		1 Feb 1996 a
Luxembourg	22 Feb 1985	29 Sep 1987
Madagascar	1 Oct 2001	13 Dec 2005
Malawi		11 Jun 1996 a
Maldives		20 Apr 2004 a
Mali		26 Feb 1999 a
Malta		13 Sep 1990 a
Marshall Islands		12 Mar 2018 a
Mauritania		17 Nov 2004 a
Mauritius		9 Dec 1992 a
Mexico	18 Mar 1985	23 Jan 1986
Monaco		6 Dec 1991 a
Mongolia		24 Jan 2002 a
Montenegro[9]		23 Oct 2006 d
Morocco	8 Jan 1986	21 Jun 1993
Mozambique		14 Sep 1999 a
Namibia		28 Nov 1994 a
Nauru	12 Nov 2001	26 Sep 2012
Nepal		14 May 1991 a
Netherlands[10]	4 Feb 1985	21 Dec 1988
New Zealand	14 Jan 1986	10 Dec 1989
Nicaragua	15 Apr 1985	5 Jul 2005
Niger		5 Oct 1998 a
Nigeria	28 Jul 1988	28 Jun 2001
North Macedonia[4]		12 Dec 1994 d
Norway	4 Feb 1985	9 Jul 1986
Oman		9 Jun 2020 a
Pakistan	17 Apr 2008	23 Jun 2010
Palau	20 Sep 2011	
Panama	22 Feb 1985	24 Aug 1987
Paraguay	23 Oct 1989	12 Mar 1990
Peru	29 May 1985	7 Jul 1988
Philippines		18 Jun 1986 a
Poland	13 Jan 1986	26 Jul 1989
Portugal[5]	4 Feb 1985	9 Feb 1989
Qatar		11 Jan 2000 a
Republic of Korea		9 Jan 1995 a
Republic of Moldova		28 Nov 1995 a
Romania		18 Dec 1990 a
Russian Federation	10 Dec 1985	3 Mar 1987
Rwanda		15 Dec 2008 a
Samoa		28 Mar 2019 a
San Marino	18 Sep 2002	27 Nov 2006
Sao Tome and Principe	6 Sep 2000	10 Jan 2017
Saudi Arabia		23 Sep 1997 a
Senegal	4 Feb 1985	21 Aug 1986
Serbia[4]		12 Mar 2001 d
Seychelles		5 May 1992 a
Sierra Leone	18 Mar 1985	25 Apr 2001

Participant[3]	*Signature*		*Accession(a), Succession(d), Ratification*	
Slovakia[7]			28 May	1993 d
Slovenia			16 Jul	1993 a
Somalia			24 Jan	1990 a
South Africa	29 Jan	1993	10 Dec	1998
South Sudan			30 Apr	2015 a
Spain	4 Feb	1985	21 Oct	1987
Sri Lanka			3 Jan	1994 a
St. Kitts and Nevis			21 Sep	2020 a
St. Vincent and the Grenadines			1 Aug	2001 a
State of Palestine			2 Apr	2014 a
Sudan	4 Jun	1986		
Sweden	4 Feb	1985	8 Jan	1986
Switzerland	4 Feb	1985	2 Dec	1986
Syrian Arab Republic			19 Aug	2004 a
Tajikistan			11 Jan	1995 a
Thailand			2 Oct	2007 a
Timor-Leste			16 Apr	2003 a
Togo	25 Mar	1987	18 Nov	1987
Tunisia	26 Aug	1987	23 Sep	1988
Turkey	25 Jan	1988	2 Aug	1988
Turkmenistan			25 Jun	1999 a
Uganda			3 Nov	1986 a
Ukraine[11]	27 Feb	1986	24 Feb	1987
United Arab Emirates			19 Jul	2012 a
United Kingdom of Great Britain and Northern Ireland[6,12]	15 Mar	1985	8 Dec	1988
United States of America[13]	18 Apr	1988	21 Oct	1994
Uruguay	4 Feb	1985	24 Oct	1986
Uzbekistan			28 Sep	1995 a
Vanuatu			12 Jul	2011 a
Venezuela (Bolivarian Republic of)	15 Feb	1985	29 Jul	1991
Viet Nam	7 Nov	2013	5 Feb	2015
Yemen			5 Nov	1991 a
Zambia			7 Oct	1998 a

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

AFGHANISTAN[14]

AUSTRIA[15]

"...

2. Austria regards article 15 as the legal basis for the inadmissibility provided for therein of the use of statements which are established to have been made as a result of torture."

BAHAMAS

"The Government of the Commonwealth of The Bahamas does not recognize the competence of the Committee against Torture as provided for in Article 20 of the UNCAT.

The Government of the Commonwealth of The Bahamas does not consider itself bound by paragraph 1 of Article 30 of the Convention.

The Government of the Commonwealth of The Bahamas reserves the right to award compensation to torture victims referred to in Article 14 of the Convention Against Torture only at the discretion of the Supreme or Appellate Courts, or the Attorney-General of the Commonwealth of The Bahamas."

BAHRAIN[16]

...

2. The State of Bahrain does not consider itself bound by paragraph 1 of article 30 of the Convention.

BANGLADESH[17]

"The Government of the People's Republic of Bangladesh will apply article 14 para 1 in consonance with the existing laws and legislation in the country."

BELARUS[18]

BOTSWANA

"The Government of the Republic of Botswana considers itself bound by Article 1 of the Convention to the extent that 'torture' means the torture and inhuman or degrading punishment or other treatment prohibited by Section 7 of the Constitution of the Republic of Botswana."

BRUNEI DARUSSALAM

"The Government of Brunei Darussalam reserves the right to formulate and communicate, upon ratification, such reservations, interpretative understandings, and/or declarations which it might consider necessary."

BULGARIA[19]

CHILE[20]

...

2. The Government of Chile does not consider

itself bound by the provisions of article 30, paragraph 1, of the Convention.

3. The Government of Chile reserve the right to formulate, upon ratifying the Convention, any declarations or reservations it may deem necessary in the light of its domestic law.

The Government of Chile declares that in its relations with American States that are Parties to the Inter-American Convention to Prevent and Punish Torture, it will apply that Convention in cases where its provisions are incompatible with those of the present Convention.

...

CHINA

"(1) The Chinese Government does not recognize the competence of the Committee against Torture as provided for in article 20 of the Convention.

"(2) The Chinese Government does not consider itself bound by paragraph l of article 30 of the Convention."

CUBA

The Government of the Republic of Cuba deplores the fact that even after the adoption of General Assembly resolution 1514 (XV) containing the Declaration on the granting of independence to colonial countries and peoples, a provision such as paragraph 1 of article 2 was included in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

The Government of the Republic declares, in accordance with article 28 of the Convention, that the provisions of paragraphs 1, 2 and 3 of article 20 of the Convention will have to be invoked in strict compliance with the principle of the sovereignty of States and implemented with the prior consent of the States Parties.

In connection with the provisions of article 30 of the Convention, the Government of the Republic of Cuba is of the view that any dispute between Parties should be settled by negotiation through the diplomatic channel.

CZECH REPUBLIC[7]

ECUADOR

Ecuador declares that, in accordance with the provisions of article 42 of its Political Constitution, it will not permit extradition of its nationals.

EQUATORIAL GUINEA

First - The Government of Equatorial Guinea hereby declares that, pursuant to article 28 of this Convention, it does not recognize the competence of the Committee provided for in article 20 of the Convention.

Second - With reference to the provisions of article 30, the Government of Equatorial Guinea does not consider itself bound by paragraph 1 thereof.

ERITREA

"In accordance with Article 28 of the Convention, Eritrea declares that it does not recognize the competence of the Committee provided for it in article 20.

The State of Eritrea does not consider itself bound by paragraph 1 of Article 30 which stipulates that all disputes concerning the interpretation or application of the Convention shall be referred to the International Court of Justice by one of the parties."

FIJI[21,22]

"...

The Government of the Republic of Fiji recognizes the article 14 of the Convention only to the extent that the right to award compensation to victims of an act of torture shall be subject to the determination of a Court of law.

The Government of the Republic of Fiji does not recognize the competence of the Committee against Torture as provided for in article(s) 20, 21 and 22 of the Convention and therefore shall not be bound by these provisions.

The Government of the Republic of Fiji does not recognize paragraph 1 of article 30 of the Convention and therefore shall not be bound by this provision."

FRANCE

The Government of France declares in accordance with article 30, paragraph 2, of the Convention, that it shall not be bound by the provisions of paragraph 1 of [article 30].

GERMANY[3]

GERMANY[3]

The Government of the Federal Republic of Germany reserves the right to communicate, upon ratification, such reservations or declarations of interpretation as are deemed necessary especially with respect to the applicability of article 3.

Article 3

This provision prohibits the transfer of a person directly to a State where this person is exposed to a concrete danger of being subjected to torture. In the opinion of the Federal Republic of Germany, article 3 as well as the other provisions of the Convention exclusively establish State obligations that are met by the Federal Republic of Germany in conformity with the provisions of its domestic law which is in accordance with the Convention.

GHANA

"[The Government of Ghana declares] in accordance with Article 30 (2) of the said Convention that the submission under Article 30 (1) to arbitration or the International Court of Justice of disputes between State Parties relating to the interpretation or application of the said Convention shall be by the consent of ALL the Parties concerned and not by one or more of the Parties concerned."

GUATEMALA[23]

GUINEA-BISSAU

1. Recognize the competence of the Committee Against Torture to receive and consider communications in which a Party claims that another Party is not fulfilling its obligations under this Convention, and

2. Also declare that we recognize the Committee's competence to receive and consider communications from individuals or groups of individuals within our jurisdiction claiming to be victims of a violation of any of the rights contained in this Convention.

HOLY SEE

The Holy See considers the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment a valid and suitable instrument for fighting against acts that constitute a serious offence against the dignity of the human person. In recent times the Catholic Church has consistently pronounced itself in favour of unconditional respect for life itself and unequivocally condemned "whatever violates the integrity of the human person, such as mutilation, torments inflicted on body or mind, attempts to coerce the will itself" (Second Vatican Council, Pastoral Constitution Gaudium et spes, 7 December 1965).

The law of the Church (Code of Canon Law, 1981) and its catechism (Catechism of the Catholic Church, 1987) enumerate and clearly identify forms of behaviour

that can harm the bodily or mental integrity of the individual, condemn their perpetrators and call for the abolition of such acts. On 14 January 1978, Pope Paul VI, in his last address to the diplomatic corps, after referring to the torture and mistreatment practised in various countries against individuals, concluded as follows: "How could the Church fail to take up a stern stand ... with regard to torture and to similar acts of violence inflicted on the human person?" Pope John Paul II, for his part, has not failed to affirm that "torture must be called by its proper name" (message for the celebration of the World Day of Peace, 1 January 1980). He has expressed his deep compassion for the victims of torture (World Congress on Pastoral Ministry for Human Rights, Rome, 4 July 1998), and in particular for tortured women (message to the Secretary-General of the United Nations, 1 March 1993). In this spirit the Holy See wishes to lend its moral support and collaboration tothe international community, so as to contribute to the elimination of recourse to torture, which is inadmissible and inhuman.

The Holy See, in becoming a party to the Convention on behalf of the Vatican City State, undertakes to apply it insofar as it is compatible, in practice, with the peculiar nature of that State.

HUNGARY[24]

INDONESIA

"The Government of the Republic of Indonesia declares that the provisions of paragraphs 1, 2, and 3 of article 20 of the Convention will have to be implemented in strict compliance with the principles of the sovereignty and territorial integrity of States.

The Government of the Republic of Indonesia does not consider itself bound by the provision of article 30, paragraph 1, and takes the position that disputes relating to the interpretation and application of the Convention which cannot be settled through the channel provided for in paragraph 1 of the said article, may be referred to the International Court of Justice only with the consent of all parties to the disputes."

ISRAEL

"1. In accordance with article 28 of the Convention, the State of Israel hereby declares that it does not recognize the competence of the Committee provided for in article 20.

"2. In accordance with paragraph 2 of article 30, the State of Israel hereby declares that it does not consider itself bound by paragraph 1 of that article."

KUWAIT

"With reservations as to article (20) and the provision of paragraph (1) from article (30) of the Convention."

LAO PEOPLE'S DEMOCRATIC REPUBLIC[25]

"The Government of the Lao People's Democratic Republic, pursuant to Article 28 of the Convention, does not recognize the competence of the Committee against Torture under Article 20.

The Government of the Lao People's Democratic Republic does not consider itself bound by the provisions of Article 30, paragraph 1, to refer any dispute concerning the interpretation and application of the Convention to the International Court of Justice."

"It is the understanding of the Government of the Lao People's Democratic Republic that the term 'torture' in Article 1, paragraph 1, of the Convention means torture as defined in both national law and international law.

The Government of the Lao People's Democratic Republic declares that, pursuant to Article 8, paragraph 2 of the Convention it makes extradition conditional on the existence of a treaty. Therefore, it does not consider the Convention as the legal basis for extradition in respect of the offences set forth therein. It further declares that bilateral agreements will be the basis for extradition as between the Lao People's Democratic Republic and other States Parties in respect of any offences."

LUXEMBOURG

The Grand Duchy of Luxembourg hereby declares that the only "lawful sanctions" that it recognizes within the meaning of article 1, paragraph 1, of the Convention are those which are accepted by both national law and international law.

MAURITANIA

Article 20

The Mauritanian Government does not recognize the competence granted to the Committee in article 20 of the Convention, which provides as follows:

1. If the Committee receives reliable information which appears to it to contain well-founded indications that torture is being systematically practiced in the territory of a State Party, the Committee shall invite that State Party to cooperate in the examination of the information and to this end to submit observations with regard to the information concerned.

2. Taking into account any observations which may have been submitted by the State Party concerned, as well as any other relevant information available to it, the Committee may, if it decides that this is warranted, designate one or more of its members to make a confidential inquiry and to report to the Committee urgently.

3. If an inquiry is made in accordance with paragraph 2 of this article, the Committee shall seek the cooperation of the State Party concerned. In agreement with that State Party, such an inquiry may include a visit to its territory.

4. After examining the findings of its member or members submitted in accordance with paragraph 2 of this article, the Committee shall transmit these findings to the State Party concerned together with any comments or suggestions which seem appropriate in view of the situation.

5. All the proceedings of the Committee referred to in paragraphs 1 to 4 of this article shall be confidential, and at all stages of the proceedings the cooperation of the State Party shall be sought. After such proceedings have been completed with regard to an inquiry made in accordance with paragraph 2, the Committee may, after consultations with the State Party concerned, decide to include a summary account of the results of the proceedings in its annual report made in accordance with article 24.

Article 30, paragraph 1

1. Any dispute between two or more States Parties concerning the interpretation orapplication of this Convention which cannot be settled through negotiation shall, at the request of one of them, be submitted to arbitration. If within six months from the date of the request for arbitration the Parties are unable to agree on the organization of the arbitration, any one of those Parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court.

Pursuant to article 30, paragraph 2, of the Convention, the Government of Mauritania declares that it does not consider itself bound by paragraph 1 of this article, which provides that in the event of a dispute concerning the interpretation or application of the Convention, one of the Parties may refer the dispute to the International Court of Justice by request.

MONACO

In accordance with paragraph 2 of article 30 of the Convention, the Principality of Monaco declares that it does not consider itself bound by paragraph 1 of that article.

MOROCCO[26]

.....

2. In accordance with article 30, paragraph 2, the Government of the Kingdom of Morocco does not consider itself bound by paragraph 1 of the same article.

NETHERLANDS

"It is the understanding of the Government of the Kingdom of the Netherlands that the term "lawful sanctions" in article 1, paragraph 1, must be understood as referring to those sanctions which are lawful not only under national law but also under international law."

NEW ZEALAND

"The Government of New Zealand reserves the right to award compensation to torture victims referred to in article 14 of the Convention Against Torture only at the discretion of the Attorney-General of New Zealand."

OMAN

1. The Sultanate of Oman declares that it does not recognize the competence of the Committee against Torture as set out in article 20 of the Convention.

2. The Sultanate of Oman declares that it is not bound by the provisions of article 30, paragraph 1, of the Convention.

PAKISTAN[27]

"The Government of the Islamic Republic of Pakistan reserves its right to attach appropriate reservations, make declarations and state its understanding in respect of various provisions of the Convention at the time of ratification."

"Article 8

'The Government of the Islamic Republic of Pakistan declares that pursuant to Article 8, paragraph 2, of the Convention, it does not take this Convention as the legal basis for cooperation on extradition with other States Parties'.

Article 28

'In accordance with Article 28, paragraph 1, of the Convention, the Government of the Islamic Republic of Pakistan hereby declares that it does not recognize the competence of the Committee provided for in Article 20'.

Article 30

'The Government of the Islamic Republic of Pakistan does not consider itself bound by Article 30, Paragraph 1 of the Convention'."

PANAMA

The Republic of Panama declares in accordance with article 30, paragraph 2 of the Convention that it does not consider itself bound by the provisions of paragraph 1 of the said article.

POLAND

Under article 28, the Polish People's Republic does not consider itself bound by article 20 of the Convention.

Furthermore, the Polish People's Republic does not consider itself bound by article 30, paragraph 1, of the Convention.

QATAR[28,29]

" … the State of Qatar :

1) partially withdraws its general reservation, while keeping in effect a limited general reservation within the framework of Articles 1 and 16 of the Convention, and

2) withdraws its reservation to the mandate of the Committee against Torture as stipulated in Articles 21 and 22 of the Convention."

RUSSIAN FEDERATION[18]

SAMOA

"Article 14

'The Government of the Independent State of Samoa reserves the right to award compensation to torture victims or their families and the question of adequate compensation referred to in Article 14, at the discretion of the Courts of Samoa'.

Article 20

'The Government of the Independent State of Samoa does not recognise the competence of the Committee against Torture as provided for in Article 20 of the Convention'.

Article 30

'The Government of the Independent State of Samoa does not consider itself bound by paragraph 1 of Article 30 of the Convention'."

SAUDI ARABIA

Reservations:

The Kingdom of Saudi Arabia does not recognize the jurisdiction of the Committee as provided for in article 20 of this Convention.

The Kingdom of Saudi Arabia shall not be bound by the provisions of paragraph (1) of article 30 of this Convention.

SLOVAKIA[7]

SOUTH AFRICA

"[The Republic of South Africa declares that] it recognises, for the purposes of article 30 of the Convention, the competence of the International Court of Justice to settle a dispute between two or more State Parties regarding the interpretation or application of the Convention, respectively."

SYRIAN ARAB REPUBLIC

In accordance with the provisions of article 28, paragraph 1, of the Convention, the Syrian Arab Republic does not recognize the competence of the Committee against Torture provided for in article 20 thereof;

The accession of the Syrian Arab Republic to this Convention shall in no way signify recognition of Israel or entail entry into any dealings with Israel in the context of the provisions of this Convention.

THAILAND

"1. With respect to the term "torture" under Article 1 of the Convention, although there is neither a specific definition nor particular offence under the current Thai Penal Code corresponding to the term, there are comparable provisions under the aforesaid Thai Penal Code applicable to acts under Article 1 of the Convention. The term "torture" under Article 1 of the Convention shall accordingly be interpreted in conformity with the current Thai Penal Code.

The Kingdom of Thailand shall revise its domestic law to be more consistent with Article 1 of the Convention at the earliest opportunity.

2. For the same reason as stipulated in the preceding paragraph, Article 4 of the Convention which stipulates: 'Each State Party shall ensure that all acts of torture are offences under its criminal law. The same shall apply to an attempt to commit torture and to an act by any person which constitutes complicity or participation in torture,' shall be interpreted in conformity with the current Thai Penal Code.

The Kingdom of Thailand shall revise its domestic law to be more consistent with Article 4 of the Convention at the earliest opportunity.

3. Article 5 of the Convention which provides: 'Each State Party shall take such measures as may be necessary to establish its jurisdiction over the offences referred to in Article 4....." is interpreted by the Kingdom of Thailand to mean that the jurisdiction referred to in Article 5 shall be established in accordance with the current Thai Penal Code.

The Kingdom of Thailand shall revise its domestic law to be more consistent with Article 5 of the Convention at the earliest opportunity."

"The Kingdom of Thailand does not consider itself bound by Article 30, paragraph 1, of the Convention."

TOGO

The Government of the Togolese Republic reserves the right to formulate, upon ratifying the Convention, any reservations or declarations which it might consider necessary.

TUNISIA[30]

[The Government of Tunisia] confirms that the reservations made at the time of signature of the Convention on Tunisia's behalf on 26 August 1987 have been completely withdrawn.

TURKEY

"The Government of Turkey declares in accordance with article 30, paragraph 2, of the Convention, that it does not consider itself bound by the provisions of paragraph 1 of this article."

UKRAINE[18]

UNITED ARAB EMIRATES

In accordance with paragraph 1 of article 28 of the Convention, the United Arab Emirates declares that it does not recognize the competence of the Committee against Torture referred to in article 20 of the Convention.

In accordance with paragraph 2 of article 30 of the Convention, the United Arab Emirates does not consider itself bound by paragraph 1 of article 30 relating to arbitration in this Convention.

The United Arab Emirates also confirms that the lawful sanctions applicable under national law, or pain or suffering arising from or associated with or incidental to these lawful sanctions, do not fall under the concept of "torture" defined in article 1 of this Convention or under the concept of cruel, inhuman or degrading treatment or punishment mentioned in this Convention.

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

"The United Kingdom reserves the right to formulate, upon ratifying the Convention, any reservations or interpretative declarations which it might consider necessary."

UNITED STATES OF AMERICA[31]

"The Government of the United States of America reserves the right to communicate, upon ratification, such reservations, interpretive understandings, or declarations as are deemed necessary."

"I. The Senate's advice and consent is subject to the following reservations:

(1) That the United States considers itself bound by the obligation under article 16 to prevent `cruel, inhuman or degrading treatment or punishment', only insofar as the term `cruel, inhuman or degrading treatment or punishment' means the cruel, unusual and inhumane treatment or punishment prohibited by the Fifth, Eighth, and/or Fourteenth Amendments to the Constitution of the United States.

(2) That pursuant to article 30 (2) the United States declares that it does not consider itself bound by Article 30 (1), but reserves the right specifically to agree to follow this or any other procedure for arbitration in a particular case.

II. The Senate's advice and consent is subject to the following understandings, which shall apply to the obligations of the United States under this Convention:

(1) (a) That with reference to article 1, the United States understands that, in order to constitute torture, an act must be specifically intended to inflict severe physical or mental pain or suffering and that mental pain or suffering refers to prolonged mental harm caused by or resulting from (1) the intentional infliction or threatened infliction of severe physical pain or suffering; (2) the administration or application, or threatened administration or application, of mind altering substances or other procedures calculated to disrupt profoundly the senses or the personality; (3) the threat of imminent death; or (4) the threat that another person will imminently be subjected to death, severe physical pain or suffering, or the administration or application of mind altering substances or other procedures calculated to disrupt profoundly the senses or personality.

(b) That the United States understands that the definition of torture in article 1 is intended to apply only to acts directed against persons in the offender's custody or physical control.

(c) That with reference to article 1 of the Convention, the United States understands that `sanctions' includes judicially-imposed sanctions and other enforcement actions authorized by United States law or by judicial interpretation of such law. Nonetheless, the United States understands that a State Party could not through its domestic sanctions defeat the object and purpose of the Convention to prohibit torture.

(d) That with reference to article 1 of the Convention, the United States understands that the term `acquiescence' requires that the public official, prior to the activity constituting torture, have awareness of such activity and thereafter breach his legal responsibility to intervene to prevent such activity.

(e) That with reference to article 1 of the Convention, the Unites States understands that noncompliance with applicable legal procedural standards does not *per se* constitute torture.

(2) That the United States understands the phrase, `where there are substantial grounds for believing that he would be in danger of being subjected to torture,' as used in article 3 of the Convention, to mean `if it is more likely than not that he would be tortured.'

(3) That it is the understanding of the United States that article 14 requires a State Party to provide a private right of action for damages only for acts of torture committed in territory under the jurisdiction of that State Party.

(4) That the United States understands that international law does not prohibit the death penalty, and does not consider this Convention to restrict or prohibit

the United States from applying the death penalty consistent with the Fifth, Eighth and/or Fourteenth Amendments to the Constitution of the United States, including any constitutional period of confinement prior to the imposition of the death penalty.

(5) That the United States understands that this Convention shall be implemented by the United States Government to the extent that it exercises legislative and judicial jurisdiction over the matters covered by the Convention and otherwise by the state and local governments. Accordingly, in implementing articles 10-14 and 16, the United States Government shall take measures appropriate to the Federal system to the end that the competent authorities of the constituent units of the United States of America may take appropriate measures for the fulfilment of the Convention.

III. The Senate's advice and consent is subject to the following declarations:

(1) That the United States declares that the provisions of articles 1 through 16 of the Convention are not self-executing.

VIET NAM

"The Socialist Republic of Viet Nam declares, in accordance with article 28 paragraph 1, that it does not recognize the competence of the Committee provided for in article 20, and in accordance with article 30, paragraph 2, that it does not consider itself bound by article 30, paragraph 1.

The Socialist Republic of Viet Nam does not consider the Convention as the direct legal basis for extradition in respect of the offences referred to in Article 4 of the Convention. Extradition shall be decided on the basis of extradition treaties to which Viet Nam is a party or the principle of reciprocity, and shall be in accordance with Vietnamese laws and regulations."

ZAMBIA[32]

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

AUSTRALIA

"The Government of Australia has examined the reservation made by The Islamic Republic of Pakistan to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and now hereby objects to the same for and on behalf of Australia:

The Government of Australia considers that the reservations by the Islamic Republic of Pakistan are incompatible with the object and purpose of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Convention).

The Government of Australia recalls that, 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 is not permitted.

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.

Furthermore, the Government of Australia considers that The Islamic Republic of Pakistan, through its reservations, is purporting to make the application of the Convention subject to the provisions of general domestic law in force in The Islamic Republic of Pakistan. As a result, it is unclear to what extent The Islamic Republic of Pakistan considers itself bound by the obligations of the Convention and therefore raises concerns as to the commitment of The Islamic Republic of Pakistan to the object and purpose of the Convention.

The Government of Australia considers that the reservations to the Convention are subject to the general principle of treaty interpretation, pursuant to Article 27 of the Vienna Convention of the Law of Treaties, according to which a party may not invoke the provisions of its internal law as justification for its failure to perform a treaty.

For the above reasons, the Government of Australia objects to the aforesaid reservations made by The Islamic Republic of Pakistan to the Convention and expresses the hope that the Islamic Republic of Pakistan will withdraw its reservations.

This objection shall not preclude the entry into force of the Convention between Australia and The Islamic Republic of Pakistan."

AUSTRIA

"The Government of Austria has examined the reservations made by the Islamic Republic of Pakistan upon ratification of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

The Government of Austria considers that in aiming to exclude the application of those provisions of the Convention which are deemed incompatible with the Constitution of Pakistan, Sharia laws and certain national laws, the Islamic Republic of Pakistan has made reservations of general and indeterminate scope. These reservations do not clearly define for the other States Parties to the Convention the extent to which the reserving State has accepted the obligations of the Convention.

The Government of Austria therefore considers the reservations of the Islamic Republic of Pakistan to Articles 3, 4, 6, 12, 13 and 16 incompatible with the object and purpose of the Covenant and objects to them.

These objections shall not preclude the entry into force of the Convention between Austria and the Islamic Republic of Pakistan."

"The Government of Austria has examined the reservation made by the United Arab Emirates upon accession to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

The Government of Austria considers that by the reference to national law regarding Art. 1 of the Convention the United Arab Emirates have made a reservation of general and indeterminate scope. This reservation does not clearly define for the other States Parties to the Convention the extent to which the reserving State has accepted the obligations of the Convention.

The Government of Austria therefore considers the reservation of the United Arab Emirates to Art. 1 incompatible with the object and purpose of the Convention and objects to it.

This objection shall not preclude the entry into force of the Convention between Austria and the United Arab Emirates."

"The Government of Austria has examined the declaration made by the Lao People's Democratic Republic upon ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. In Austria's view the declaration amounts to a reservation. The Government of Austria considers that by the reference to national law regarding Art. 1 of the Convention the Lao People's Democratic Republic has made a reservation of general and indeterminate scope. This reservation does not clearly define for the other States Parties to the Convention the extent to which the reserving State has accepted the obligations of the Convention. The Government of Austria therefore considers the reservation to Art. 1 incompatible with the object and purpose of the Convention and objects to it. This objection shall not preclude the entry into force of the Convention between Austria and the Lao People's Democratic Republic."

"The Government of Austria has examined the reservation made by the Republic of Fiji upon ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Austria considers that by recognizing the definition of torture according to Article 1 of the Convention only to the extent as expressed in the Fijian Constitution Fiji has made a reservation of a general and indeterminate scope. This reservation does not clearly define for the other States Parties to the Convention the extent to which the reserving State has accepted the obligations of the Convention.

Austria therefore considers the reservation to be incompatible with the object and purpose of the Convention and objects to it.

This objection shall not preclude the entry into force of the Convention between the Republic of Austria and the Republic of Fiji."

BELGIUM

Belgium has carefully examined the reservations made by Pakistan upon accession on 23 June 2010 to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

The vagueness and general nature of the reservations made by Pakistan with respect to Articles 3, 4, 6, 12, 13 and 16 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment may contribute to undermining the bases of international human rights treaties.

The reservations make the implementation of the Convention's provisions contingent upon their compatibility with the Islamic Sharia and legislation in force in Pakistan. This creates uncertainty as to which of its obligations under the Convention Pakistan intends to observe and raises doubts as to Pakistan's respect for the object and purpose of the Convention.

It is in the common interest for all parties to respect the treaties to which they have acceded and for States to be willing to enact such legislative amendments as may be necessary in order to fulfil their treaty obligations.

Belgium also notes that the reservations concern fundamental provisions of the Convention.

Consequently, Belgium considers the reservations to be incompatible with the object and purpose of that instrument.

Belgium notes that 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 (article 19 (c)).

Furthermore, under Article 27 of the Vienna Convention on the Law of Treaties, a party may not invoke the provisions of its internal law as justification for its failure toperform a treaty.

Consequently, Belgium objects to the reservations formulated by Pakistan with respect to Articles 3, 4, 6, 12, 13 and 16 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

This objection shall not preclude the entry into force of the Convention between the Kingdom of Belgium and Pakistan.

Belgium has examined the declaration formulated by the United Arab Emirates upon its accession to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Government of Belgium considers that, in referring to national law in connection with article 1 of the Convention, the United Arab Emirates has formulated a reservation of general, indeterminate scope that does not define clearly for the other States parties to the Convention the extent to which the State that formulated the reservation has accepted the obligations arising from the Convention. The Government of Belgium considers that the reservation formulated by the United Arab Emirates concerning article 1 is incompatible with the object and purpose of the Convention.

Belgium recalls that, pursuant to article 19, paragraph (c), of the Vienna Convention on the Law of Treaties, a reservation may not be formulated when it is incompatible with the object and purpose of the treaty in question. Belgium therefore objects to the declaration, while specifying that this objection shall not preclude the entry into force of the Convention between the United Arab Emirates and Belgium.

CANADA

"The Government of Canada has carefully examined the reservations made by the Government of the Islamic Republic of Pakistan upon ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, in accordance with which the Government of the Islamic Republic of Pakistan declares that:

The provisions of Articles 4, 6, 12, 13 and 16 'shall be so applied to the extent that they are not repugnant to the Provisions of the Constitution of Pakistan and the Sharia laws'.

The Government of Canada considers that a reservation which consists of a general reference to national law or to the prescriptions of the Islamic Sharia constitutes, in reality, a reservation with a general, indeterminate scope. Such a reservation makes it impossible to identify the modifications to obligations under the Convention that it purports to introduce and impossible for the other States Parties to the Convention to know the extent to which Pakistan has accepted the obligations of the Convention, an uncertainty which is unacceptable, especially in the context of treaties related to human rights.

The Government of Canada notes that the above-mentioned reservations made by the Government of the Islamic Republic of Pakistan, addressing many of the most essential provisions of the Convention, and aiming to exclude the obligations under those provisions, are incompatible with the object and purpose of the Convention, and thus inadmissible under article 19(c) of the Vienna Convention on the Law of Treaties. The Government of Canada therefore objects to the aforesaid reservations made by the Government of the Islamic Republic of Pakistan.

This objection does not preclude the entry into force in its entirety of the Convention between Canada and the Islamic Republic of Pakistan."

CZECH REPUBLIC

"The Czech Republic believes that the reservations of Pakistan made to Articles 3, 4, 6, 8, 12, 13, and 16 of the Convention, if put into practice, would result in restriction and weakening of the universal prohibition of torture. Such restriction or weakening is contrary to the object and purpose of the Convention. Furthermore, Pakistan supports reservations to Articles 4, 6, 12, 13 and 16 by

references to its domestic law, which is, in the opinion of the Czech Republic, unacceptable under customary international law, as codified in Article 27 of the Vienna Convention on the Law of Treaties. Finally, the reservations to Articles 4, 6, 12, 13 and 16 that refer to the notions such as "Constitution of Pakistan" and "Sharia laws" and to Article 3 that refer to the notions such as "the provisions of its laws relating to extradition and foreigners", without specifying its contents, do not clearly define for the other States Parties to the Convention the extent to which the reserving State has accepted the obligations under the Convention.

It is in the common interest 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. According to Article 28 paragraph 2 of the Convention and according to customary international law as codified in the Vienna Convention on the Law of Treaties, a reservation that is incompatible with the object and purpose of a treaty shall not be permitted.

The Czech Republic, therefore, objects to the aforesaid reservations made by Pakistan to the Convention. This objection shall not preclude the entry into force of the Convention between the Czech Republic and Pakistan. The Convention enters into force in its entirety between the Czech Republic and Pakistan, without Pakistan benefiting from its reservation."

"The Government of the Czech Republic has examined the declaration and reservations made by the United Arab Emirates at the time of its accession to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. The Government of the Czech Republic considers that the declaration made by the United Arab Emirates in substance constitutes a reservation limiting the scope of the Convention. The Government of the Czech Republic is of the view that the reservation, according to which 'the lawful sanctions applicable under national law, or pain or suffering arising from or associated with or incidental to these lawful sanctions, do not fall under the concept of 'torture' defined in article 1 of this Convention or under the concept of cruel, inhuman or degrading treatment or punishment mentioned in this Convention' raises serious doubt as to the commitment of the United Arab Emirates to the object and purpose of the Convention. The Government of the Czech Republic therefore considers the aforesaid reservation incompatible with the object and purpose of the Convention and objects to it.

This objection shall not preclude the entry into force of the Convention between the United Arab Emirates and the Czech Republic. The Convention enters into force between the United Arab Emirates and the Czech Republic, without the Untied Arab Emirates benefiting from this reservation."

"The Government of the Czech Republic has examined the reservations and declarations made by the Lao People's Democratic Republic on ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (hereinafter as the "Convention").

The Government of the Czech Republic is of the view that the declaration made by the Lao People's Democratic Republic with regard to the definition of torture in Article 1, paragraph 1, of the Convention is of general and vague nature and, therefore, its character and scope cannot be properly assessed. The declaration leaves open the question whether it amounts to a reservation and whether such a reservation is compatible with the object and purpose of the Convention, i.e., to what extent the Lao People's Democratic Republic commits itself to the binding definition of torture as contained in Article 1, paragraph 1, of the Convention, which forms part of the object and purpose of the Convention and cannot be excluded or modified by the definitions of torture contained in national law of the States Parties to the Convention.

The Government of the Czech Republic wishes to recall that reservations may not be general or vague, since such reservations, without indicating in precise terms their scope, make it impossible to assess whether or not they are compatible with the object and purpose of the treaty. Therefore, the Government of the Czech Republic objects to the aforesaid declaration made by the Government of the Lao People's Democratic Republic. This objection shall not preclude the entry into force of the Convention between the Lao People's Democratic Republic and the Czech Republic, without the Lao People's Democratic Republic benefiting from its declaration."

DENMARK

"The Government of Denmark has examined the contents of the reservation made by the Government of Botswana to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The reservation refers to legislation in force in Botswana as to the definition of torture and thus to the scope of application of the Convention. In the absence of further clarification the Government of Denmark considers that the reservation raises doubts as to the commitment of Botswana to fullfil her obligations under the Convention and is incompatible with the object and purpose of the Convention.

For these reasons, the Government of Denmark objects to this reservation made by the Government of Botswana. This objection does not preclude the entry into force of the Convention in its entirety between Botswana and Denmark without Botswana benefiting from the reservation."

"The Government of the Kingdom of Denmark has examined the reservations made by the Government of the Islamic Republic of Pakistan upon ratification of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

The Government of Denmark considers, that the reservations made by the Islamic Republic of Pakistan to articles 3, 4, 6, 12, 13, and 16 of the Convention, which make the application of these essential obligations under the Convention subject to Sharia and/or constitutional and/or national law in force in the Islamic Republic of Pakistan, raise doubts as to what extent the Islamic Republic of Pakistan considers itself bound by the obligations of the treaty and concern as to the commitment of the Islamic Republic of Pakistan to the object and purpose of the Convention.

The Government of Denmark wishes to recall that, according to customary international law, as codified in the Vienna Convention on the Law of Treaties, reservations incompatible with the object and purpose of the Convention shall not be permitted.

Consequently, the Government of Denmark considers the said reservations as incompatible with the object and purpose of the Convention and accordingly inadmissible and without effect under international law.

The Government of Denmark therefore objects to the aforementioned reservations made by the Government of the Islamic Republic of Pakistan. This shall not preclude the entry into force of the Convention in its entirety between the Islamic Republic of Pakistan and Denmark.

The Government of Denmark recommends the Government of the Islamic Republic of Pakistan to reconsider its reservations to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment."

FINLAND

"A reservation which consists of a general reference to national law without specifying its contents does not clearly define to the other Parties of the Convention the extent to which the reserving State commits itself to the

Convention and therefore may cast doubts about the commitment of the reserving State to fulfil its obligations under the Convention. Such a reservation is also, in the view of the Government of Finland, subject to the general principle to treaty interpretation according to which a party may not invoke the provisions of its internal law as justification for failure to perform a treaty.

The Government of Finland therefore objects to the reservation made by the United States to article 16 of the Convention [(cf. Reservation I.(1)]. In this connection the Government of Finland would also like to refer to its objection to the reservation entered by the United States with regard to article 7 of the International Covenant on Civil and Political Rights. *[For the text of the objection see under "Objections" in chapter IV.4]*.

"The Government of Finland has examined the contents of the declaration made by the Government of Bangladesh to Article 14 paragraph 1 to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and notes that the declaration constitutes a reservation as it seems to modify the obligations of Bangladesh under the said article.

A reservation which consists of a general reference to national law without specifying its contents does not clearly define for the other Parties of the Convention the extent to which the reserving State commits itself to the Convention and therefore may raise doubts as to the commitment ofthe reserving state to fulfil its obligations under the Convention. Such a reservation is also, in the view of the Government of Finland, subject to the general principle of treaty interpretation according to which a party may not invoke the provisions of its domestic law as justification for a failure to perform its treaty obligations.

Therefore the Government of Finland objects to the aforesaid reservation to Article 14 paragraph 1 made by the Government of Bangladesh. This objection does not preclude the entry into force of the Convention between Bangladesh and Finland. The Convention will thus become operative between the two States without Bangladesh benefitting from these reservations".

"The Government of Finland has examined the context of the reservation made by the Government of Qatar regarding any interpretation incompatible with the precepts of Islamic law and the Islamic religion. The Government of Finland notes that a reservation which consists of a general reference to national law without specifying its contents does not clearly define for the other Parties to the Convention the extent to which the reserving State commits itself to the Convention and may therefore raise doubts as to the commitment of the reserving state to fulfil its obligations under the Convention. Such a reservation, in the view of the Government of Finland, is subject to the general principle of treaty interpretation according to which a party may not invoke the provisions of its domestic law as justification for a failure to perform its treaty obligations.

The Government of Finland also notes that the reservation of Qatar, being of such a general nature, raises doubts as to the full commitment of Qatar to the object and purpose of the Convention and would like to recall that, according to the Vienna Convention on the Law of the Treaties, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

For the above-mentioned reasons the Government of Finland objects to the reservation made by the Government of Qatar. This objection does not preclude the entry into force of the Convention between Qatar and Finland. The Convention will thus become operative between the two States without Qatar benefitting from this reservation."

"The Government of Finland welcomes the ratification of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment by the Islamic Republic of Pakistan. The Government of Finland has carefully examined the content of the reservations relating to Articles 3, 4, 6, 8, 12, 13, 16, 28 and 30 of the Convention made by the Islamic Republic of Pakistan upon ratification.

The Government of Finland notes that the Islamic Republic of Pakistan reserves the right to apply the provisions of Article 3 so as to be in conformity with the provisions of its laws relating to extradition and foreigners, and the provisions of Articles 4, 6, 12, 13 and 16 to the extent that they are not repugnant to the provisions of the Constitution of Pakistan and the Sharia laws.

The Government of Finland notes that a reservation which consists of a general reference to national law without specifying its content does not clearly define to other Parties to the Convention the extent to which the reserving States commits itself to the Convention and creates serious doubts as to the commitment of the reserving State to fulfil its obligations under the Convention. Such reservations are, furthermore, subject to the general principle of treaty interpretation according to which a party may not invoke the provisions of its domestic law as justification for a failure to perform its treaty obligations.

The reservations to Articles 3, 4, 6, 12, 13 and 16 seek to restrict essential obligations of the Islamic Republic of Pakistan under the Convention and raise serious doubts as to the commitment of the Islamic Republic of Pakistan to the object and purpose of the Convention. The Government of Finland wishes to recall that, according to Article 19 (c) of the Vienna Convention on the Law of Treaties and customary international law, a reservation contrary to the object and purpose of a treaty shall not be permitted. It is in the common interest of States that treaties to which they have chosen to become parties are respected as to their object and purpose and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.

The Government of Finland therefore objects to the reservations made by the Islamic Republic of Pakistan in respect of Articles 3, 4, 6, 12, 13 and 16 of the Convention. This objection shall not preclude the entry into force of the Convention between the Islamic Republic of Pakistan and Finland. The Convention will thus become operative between the two states without the Islamic Republic of Pakistan benefiting from its reservations."

"The Government of Finland has examined the contents of the declaration made by the Government of the United Arab Emirates to Article 1 to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and notes that the declaration constitutes a reservation as it seems to modify the obligations of the United Arab Emirates under the said article.

A reservation which consists of a general reference to national law without specifying its contents does not clearly define for the other Parties of the Convention the extent to which the reserving State commits itself to the Convention and therefore may raise doubts as to the commitment of the reserving State to fulfill its obligations under the Convention. Such a reservation is also, in the view of the Government of Finland, subject to the general principle of treaty interpretation according to which a party may not invoke the provisions of its domestic law as justification for a failure to perform its treaty obligations.

In its present formulation, the reservation to Article 1 is incompatible with the object and purpose of the Convention. According to Article 19, paragraph (c) of the Vienna Convention on the Law of the Treaties, such reservations shall not be permitted.

Therefore, the Government of Finland objects to the aforesaid reservation to Article 1 made by the Government of the United Arab Emirates. This objection does not preclude the entry into force of the Convention between Finland and the United Arab Emirates. The Convention will thus become operative between the two

States without the United Arab Emirates benefitting from this reservation."

"The Government of Finland has carefully examined the contents of the declaration [made by the Lao People's Democratic Republic relating to article 1, paragraph 1 of the Convention] and considers that it amounts to a reservation as it seems to modify the obligations of the Lao People's Democratic Republic under the said article.

A reservation which consists of a general reference to national law without specifying its contents does not clearly define for other Parties of the Convention the extent to which the reserving State commits itself to the Convention and therefore, raises doubts as to the commitment of the reserving State to fulfil its obligations under the Convention. Such a reservation is also subject to the general principle of treaty interpretation according to which a party may not invoke the provisions of its domestic law as justification for a failure to perform its treaty obligations.

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

The Government of Finland wishes to recall that 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 the treaty is not permitted. In its present formulation, the reservation to article 1, paragraph 1, is in contradiction with the object and purpose of the Convention.

Therefore, the Government of Finland objects to the aforesaid reservation to article 1, paragraph 1, made by the Lao People's Democratic Republic. This objection does not preclude the entry into force of the Convention between Finland and the Lao People's Democratic Republic. The Convention will thus become operative between the two States without the Lao People's Democratic Republic benefitting from this reservation."

"… The Government of Finland has carefully examined the contents of the reservations made by the Republic of Fiji concerning the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Regarding the reservation to Article 1 of the Convention, the Government of Finland notes that reservations by which a State Party limits its responsibilities under the Convention by invoking national law may cast doubts on the commitment of the reserving State to the object and purpose of the Convention. Such reservations are also subject to the general principle of treaty law according to which a party may not invoke the provisions of its domestic law as justification for a failure to perform its treaty obligations.

In view of the Government of Finland, the reservation made by Fiji to Article 1 of the Convention is incompatible with the object and purpose of the Convention. According to Article 19 of the Vienna Convention on the Law of Treaties and customary international law, such reservations shall not be permitted.

Therefore, the Government of Finland objects to the aforesaid reservation made by the Republic of Fiji. This objection does not preclude the entry into force of the Convention between Finland and the Republic of Fiji. The Convention will thus become operative between the two States without the Republic of Fiji benefitting from the aforementioned reservation…"

FRANCE

The Government of France notes that the declaration made by Bangladesh in fact constitutes a reservation since it is aimed at precluding or modifying the legal effect of certain provisions of the treaty. A reservation which consists in a general reference to domestic law without specifying its contents does not clearly indicate to the other parties to what extent the State which issued the reservation commits itself when acceding to the Convention. The Government of France considers the reservation of Bangladesh incompatible with the objective and purpose of the treaty, in respect of which the provisions relating to the right of victims of acts of torture to obtain redress and compensation, which ensure the effectiveness and tangible realization of obligations under the Convention, are essential, and consequently lodges an objection to the reservation entered by Bangladesh regarding article 14, paragraph 1. This objection does not prevent the entry into force of the Convention between Bangladesh and France.

The Government of the French Republic has carefully considered the reservation made by the Government of Qatar to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 10 December 1984, whereby it excludes any interpretation of the Convention which would be incompatible with the precepts of Islamic law and the Islamic religion. The reservation, which seeks to give precedence to domestic law and practices over the Convention to an indeterminate extent, is comprehensive in scope. Its terms undermine the commitment of Qatar and make it impossible for the other States parties to assess the extent of that commitment. The Government of France consequently objects to the reservation made by Qatar.

The Government of the French Republic has considered the reservations made by the Islamic Republic of Pakistan upon its ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment on 23 June 2010.

Concerning the reservations to articles 3, 4, 6, 12, 13 and 16, France considers that in seeking to exclude the application of provisions of the Convention, insofar as they might be contrary to or inconsistent with laws relating to extradition and foreigners, the Constitution of Pakistan and Sharia law, the Islamic Republic of Pakistan has made reservations of a general and indeterminate nature. Indeed, these reservations are vague since they do not specify which provisions of domestic law are affected. Thus, they do not allow other States Parties to appreciate the extent of the commitment of the Islamic Republic of Pakistan, including the compatibility of the provisions with the object and purpose of the Convention.

The Government of the French Republic therefore objects to the reservations made by the Islamic Republic of Pakistan. However, this objection shall not preclude the entry into force of the Convention between France and Pakistan.

GERMANY

"The Government of the Federal Republic of Germany has examined the reservation to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment made by the Government of Qatar. The Government of the Federal Republic of Germany is of the view that the reservation with regard to compatibility of the rules of the Convention with the precepts of Islamic law and the Islamic religion raises doubts as to the commitment of Qatar to fulfil its obligations under the Convention. The Government of the Federal Republic of Germany considers this reservation to be incompatible with the object and purpose of the Convention. Therefore the Government of the Federal Republic of Germany objects to the aforesaid reservation made by the Government of Qatar to the Convention.

This objection does not preclude the entry into force of the Convention between the Federal Republic of Germany and Qatar."

"The Government of the Federal Republic of Germany has carefully examined the reservations made by the

Islamic Republic of Pakistan on 23 June 2010 to Articles 3, 4, 6, 12, 13 and 16 of the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

The Government of the Federal Republic of Germany is of the opinion that these reservations subject the application of Articles 3, 4, 6, 12, 13 and 16, all of which are core provisions of the Convention, to a system of domestic norms without specifying the contents thereof, leaving it uncertain to which extent the Islamic Republic of Pakistan accepts to be bound by the obligations under the Convention and raising serious doubts as to its commitment to fulfil its obligations under the Convention. The reservations therefore are considered incompatible with the object and purpose of the Convention and consequently impermissible under Art. 19 c of the Vienna Convention on the Law of Treaties.

The Government of the Federal Republic of Germany therefore objects to the above-mentioned reservations as being incompatible with the object and purpose of the Convention. This objection shall not preclude the entry into force of the Convention between the Federal Republic of Germany and the Islamic Republic of Pakistan."

"The Government of the Federal Republic of Germany has carefully examined the declaration made by the United Arab Emirates upon its accession to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment of 10 December 1984.

The Government of the Federal Republic of Germany considers that the declaration, notwithstanding its designation, amounts to a reservation, which is meant to limit the scope of application of the Convention. The Government of the Federal Republic of Germany also considers that a reservation which subjects the application of the Convention to national laws on sanctions is of a general and indeterminate nature and raises doubts as to the extent of the commitment to fulfil obligations under the Convention. According to the opinion of the Government of the Federal Republic of Germany such a reservation is incompatible with the object and purpose of the Convention. The Government of the Federal Republic of Germany therefore objects to this reservation as being impermissible.

This objection shall not preclude the entry into force of the Convention between the Federal Republic of Germany and the United Arab Emirates."

"The Government of the Federal Republic of Germany has carefully examined the declaration made by the Lao People's Democratic Republic upon its ratification of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment of 10 December 1984 with respect to Article 1, paragraph 1, thereof.

The Government of the Federal Republic of Germany considers that the declaration, notwithstanding its designation, amounts to a reservation which is meant to limit the scope of application of the Convention. A reservation which makes the application of the Convention conditional on a definition contained in national laws is of a general and indeterminate nature and raises doubts as to the extent of the State's commitment to fulfil its obligations under the Convention. In the opinion of the Government of the Federal Republic of Germany such a reservation is incompatible with the object and purpose of the Convention.

The Government of the Federal Republic of Germany therefore objects to this reservation as being impermissible.

This objection shall not preclude the entry into force of the Convention between the Federal Republic of Germany and the Lao People's Democratic Republic."

The Government of the Federal Republic of Germany has examined the reservation made by the Republic of Fiji upon its ratification of ... the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 10 December 1984 with respect to Article 1 thereof.

The Government of the Federal Republic of Germany considers that the reservation to Article 1 makes the application of the Convention conditional on a definition contained in the national Constitution. The reservation is of a general and indeterminate nature and raises doubts as to the extent of the Republic of Fiji's commitment to fulfil its obligations under the Convention. In the opinion of the Government of the Federal Republic of Germany such a reservation is incompatible with the object and purpose of the Convention. The Government of the Federal Republic of Germany therefore objects to this reservation as being impermissible.

This objection shall not preclude the entry into force of the Convention between the Federal Republic of Germany and the Republic of Fiji.

GREECE

"The Government of the Hellenic Republic considers that the reservation with respect to Article 3, a core provision of the Convention, which subjects its application to the laws of the Islamic Republic of Pakistan relating to extradition and foreigners without specifying their content, is incompatible with the object and purpose of the above Convention.

Moreover, the Government of the Hellenic Republic considers that the reservations with respect to Articles 4, 12, 13 and 16, which contain a general reference to the Provisions of the Constitution of Pakistan and Sharia laws do not specify the extent of the derogation there from and, therefore, are incompatible with the object and purpose of the Convention.

For those reasons the Government of the Hellenic Republic objects to the abovementioned reservations formulated by the Islamic Republic of Pakistan."

"The Government of the Hellenic Republic has examined the reservations and declarations formulated by the Lao People's Democratic Republic upon ratification of the 1984 Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

The Government of the Hellenic Republic considers that the declaration formulated by the Lao People's Democratic Republic regarding Article 1 paragraph 1 of the above Convention constitutes in substance a reservation limiting the scope of the Convention to the extent that with this reservation the application of the Convention is made subject to national legislation in force in the Lao People's Democratic Republic.

The Government of the Hellenic Republic considers that reservations of this kind must be regarded as incompatible with the object and purpose of the Convention and would like to recall that according to Article 19 (c) of the Vienna Convention on the Law of Treaties, reservations incompatible with the object and purpose of a treaty shall not be permitted.

For these reasons the Government of the Hellenic Republic objects to the above mentioned reservation formulated by the Lao People's Democratic Republic.

This objection shall not preclude the entry into force of the Convention between Greece and the Lao People's Democratic Republic."

HUNGARY

"With regard to the reservations made by the Islamic Republic of Pakistan:

The Government of the Republic of Hungary has examined the reservations made by the Islamic Republic of Pakistan upon accession to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment adopted by General Assembly of the United Nations on 10 December 1984, with regard to Articles 3, 4, 6, 8, 12, 13, 16, 28 and 30 of the Convention.

The Government of the Republic of Hungary is of the view that the implementation of the reservations aiming at the elimination of the duty to fulfill by the reserving State vital obligations enshrined in the Convention made by the Islamic Republic of Pakistan with regard to Articles 3, 4, 6, 12, 13 and 16 of the Convention would make it impossible to attain the objective of the Convention, which is to protect entities from torture and other cruel, inhuman or degrading treatment or punishment and to make the struggle against such violations of human rights more effective. In consequence, according to Article 19 (c) of the Vienna Convention on the Law of Treaties, which is a treaty and customary norm, these reservations shall not be permitted as they are incompatible with the object and purpose of the Convention.

In order to justify its will to exclude the legal consequences of certain provisions of the Convention, the Islamic Republic of Pakistan raised in the reservations with regard to Articles 3, 4, 6, 12, 13 and 16 the inconsistency of these provisions with its domestic legislation. The Government of the Republic of Hungary recalls that, according to Article 27 of the Vienna Convention on the Law of Treaties, which is a treaty and customary norm, the State Party to an international agreement may not invoke the provisions of its internal law as justification for its failure to perform a treaty.

The Islamic Republic of Pakistan refers in the above-mentioned reservations to the Sharia laws and to its domestic legislation as possibly affecting the application of the Convention. Nonetheless, it fails to specify the exact content of these laws and legislation. As a result, it is impossible to clearly define the extent to which the reserving State has accepted the obligations of the Convention.

Therefore, the Government of the Republic of Hungary objects to the reservations made by the Islamic Republic of Pakistan upon accession to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment adopted by the General Assembly of the United Nations on 10 December 1984, with regard to Articles 3, 4, 6, 12, 13 and 16.

This objection does not preclude the entry into force of the [Convention] between the Republic of Hungary and the Islamic Republic of Pakistan."

IRELAND

"The Government of Ireland has examined the reservations made on 23 June 2010 by the Islamic Republic of Pakistan upon ratification of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

The Government of Ireland notes that the Islamic Republic of Pakistan subjects Articles 3, 4, 6, 12, 13 and 16 to the Constitution of Pakistan, its domestic law and/or Sharia law. The Government of Ireland is of the view that a reservation which consists of a general reference to the Constitution or the domestic law of the reserving State or to religious law, may cast doubt on the commitment of the reserving state to fulfil its obligations under the Convention. The Government of Ireland is of the view that such general reservations are incompatible with the object and purpose of the Convention and may undermine the basis of international treaty law.

The Government of Ireland therefore objects to the reservations made by the Islamic Republic of Pakistan to Articles 3, 4, 6, 12, 13 and 16 of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

This objection shall not preclude the entry into force of the Covenant between Ireland and the Islamic Republic of Pakistan."

"The Government of Ireland has examined the declaration contained in the instrument of accession to the Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment, made by the United Arab Emirates on 19 July 2012.

The Government of Ireland is of the view that this declaration in substance constitutes a reservation limiting the scope of the Convention.

The Government of Ireland considers that a reservation which consists of a general reference to domestic laws of the reserving State and which does not clearly specify the extent of the reservation to the provisions of the Convention may cast doubts on the commitment of the reserving state to fulfil its obligations under the Convention.

The Government of Ireland is furthermore of the view that such a reservation may undermine the basis of international treaty law and is incompatible with the object and purpose of the Convention.

The Government of Ireland therefore objects to the aforesaid reservation made by the United Arab Emirates to Article 1 of the Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment.

This objection shall not preclude the entry into force of the Convention between Ireland and the United Arab Emirates."

1. The Government of Ireland has examined the reservations and declarations made by the Lao People's Democratic Republic upon ratification of the Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment (1984), made on 26 September 2012.

2. The Government of Ireland is of the view that this declaration in substance constitutes a reservation limiting the scope of the Convention.

3. The Government of Ireland considers that a reservation which consists of a general reference to domestic laws of the reserving State and which does not clearly specify the extent of the derogation from the provision of the Convention may cast doubts on the commitment of the reserving state to fulfil its obligations under the Convention.

4. The Government of Ireland is furthermore of the view that such a reservation may undermine the basis of international treaty law and is incompatible with the object and purpose of the Covenant. The Government of Ireland recalls that according to Article 19 (c) of the Vienna Convention on the Law of Treaties, a reservation incompatible with the object and purpose of the Covenant shall not be permitted.

5. The Government of Ireland therefore objects to the aforesaid reservation made by the Lao People's Democratic Republic to Article 1 (1) of the Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment.

6. This objection shall not preclude the entry into force of the Convention between Ireland and the Lao People's Democratic Republic.

"The Government of Ireland welcomes the ratification by the Republic of Fiji of the Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment (1984) on 14 March 2016.

The Government of Ireland has examined the reservation to Article 1 made by the Government of the Republic of Fiji upon ratification.

The Government of Ireland considers that a reservation which consists of a general reference to the Constitution of the reserving State and which does not clearly specify the extent of the derogation from the provision of the Convention may cast doubts on the commitment of the reserving state to fulfil its obligations under the Convention.

The Government of Ireland is furthermore of the view that such a reservation may undermine the basis of international treaty law and is incompatible with the object and purpose of the Convention. The Government of Ireland recalls that under international treaty law a

reservation incompatible with the object and purpose of the Convention shall not be permitted.

The Government of Ireland therefore objects to the aforesaid reservation made by the Government of the Republic of Fiji to Article 1 of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

This objection shall not preclude the entry into force of the Convention between Ireland and the Republic of Fiji."

ITALY

"The Government of Italy has examined the reservations made on 23 June 2010 by the Islamic Republic of Pakistan upon ratification of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, regarding Articles 3, 4, 6, 12, 13 and 16 of the Convention.

The Government of Italy notes that the said articles of the Convention are being made subject to a general reservation referring to the contents of existing legislation in the Islamic Republic of Pakistan.

The Government of Italy is of the view that, in the absence of further clarification, these reservations raise doubts as to the commitment of the Islamic Republic of Pakistan as to the object and purpose of the Convention and would like to recall that, according to customary international law as codified by the Vienna Convention on the Law of Treaties, a reservation incompatible with the object and purpose of a treaty shall not be permitted. It is in the common interest 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.

The Government of Italy, therefore, objects to the aforesaid reservations made by the Islamic Republic of Pakistan to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

This objection shall not preclude the entry into force of the Convention between Italy and the Islamic Republic of Pakistan."

"The Government of Italy has examined the reservations and declarations formulated by the Lao People's Democratic Republic upon ratification of the 1984 Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment of Punishment.

The Government of Italy considers that the declaration formulated by the Lao People's Democratic Republic regarding Article 1, paragraph 1, of the above Convention constitutes in substance a reservation limiting the scope of the Convention to the extent that with this reservation the application of the Convention is made subject to national legislation in force in the Lao People's Democratic Republic.

The Government of Italy considers that reservations of this kind must be regarded as incompatible with the object and purpose of the Convention and would like to recall that according to Article 19 (c) of the Vienna Convention on the Law of Treaties, reservations incompatible with the object and purpose of a treaty shall not be permitted.

For these reasons the Government of Italy objects to the above mentioned reservation formulated by the Lao People's Democratic Republic.

This objection shall not preclude the entry into force of the Convention between Italy and the Lao People's Democratic Republic."

LATVIA

"The Government of the Republic of Latvia has carefully examined the reservations expressed by the Islamic Republic of Pakistan to Articles 3, 4, 6, 8, 12, 13, 16, 28 and 30 of the Convention upon ratification.

The Government of the Republic of Latvia considers that the reservations expressed by the Islamic Republic of Pakistan seek to limit the effect of the application of the Convention.

Moreover, the Government of the Republic of Latvia notes that the reservations expressed by the Islamic Republic of Pakistan to Articles 3, 4, 6, 12, 13 and 16 of the Convention, viewed as constituting the object and purpose thereof, subject these provisions to the regime of its national law.

The Government of the Republic of Latvia recalls that Article 27 of the Vienna Convention on the Law of Treaties sets out that a State Party may not invoke provisions of its internal law as justification for its failure to perform obligations arising from an international treaty.

The Government of the Republic of Latvia also recalls that customary international law as codified by the Vienna Convention on the Law of Treaties, and in particular Article 19 (c) thereof, sets out that a reservation incompatible with the object and purpose of a treaty is not permissible.

Hence, reservations expressed by the Islamic Republic of Pakistan to Articles 3, 4, 6, 12, 13 and 16 of the Convention raise doubts as to whether the Government of the Islamic Republic of Pakistan will apply the Convention in line with its object and purpose.

Consequently, the Government of the Republic of Latvia objects to the reservations made by the Islamic Republic of Pakistan to Articles 3, 4, 6, 12, 13 and 16 of the Convention.

At the same time, this objection shall not preclude the entry into force of the Convention between the Republic of Latvia and the Islamic Republic of Pakistan. Thus, the Convention will become operative without the Islamic Republic of Pakistan benefiting from its reservation."

"The Government of the Republic of Latvia has carefully examined the reservations and declarations made by the Lao People's Democratic Republic to the Convention upon ratification.

Therefore, the Government of the Republic of Latvia believes that the first declaration, making the notion of 'torture' as it is understood by this Convention subject to national legislation of the Lao People's Democratic Republic, should not be considered an interpretative declaration having a mere declarative purpose. The interpretative declaration is deemed to change the legal effect of the Convention by limiting its applicability. Thus, it should be considered a reservation as stipulated in Article 2 (1) (d) of the Vienna Convention on the Law of Treaties.

Moreover, the Government of the Republic of Latvia holds an opinion that this reservation contains vague reference to national legislation thus making impossible to determine to what extent the Lao People's Democratic Republic considers itself bound by the provisions of the Convention. Therefore, the Government of the Republic of Latvia regards this reservation as incompatible with the object and purpose of the Convention.

Whereof, the Government of the Republic of Latvia recalls that customary international law as codified by the Vienna Convention on the Law of Treaties, and in particular Article 19 (c) thereof, sets out that a reservation incompatible with the object and purpose of a treaty is not permissible.

Consequently, the Government of the Republic of Latvia objects to the declaration of the Lao People's Democratic Republic made upon the ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

At the same time, this objection shall not preclude the entry into force of the Convention between the Republic of Latvia and the Lao People's Democratic Republic benefiting from its reservation."

LUXEMBOURG

The Government of the Grand Duchy of Luxembourg has examined the reservation made by the Government of the State of Qatar to [the Convention] regarding any interpretation incompatible with the precepts of Islamic law and the Islamic religion.

The Government of the Grand Duchy of Luxembourg considers that this reservation, by referring in a general way to both Islamic law and the Islamic religion without specifying their content, raises doubts among other States Parties about the degree to which the State of Qatar is committed to the observance of the Convention.

The Government of the Grand Duchy of Luxembourg believes that the aforementioned reservation of the Government of the State of Qatar is incompatible with the objective and purpose of the Convention, because it refers to it as a whole and seriously limits or even excludes its application on a poorly defined basis, as in the case of the global reference to Islamic law.

Consequently, the Government of the Grand Duchy of Luxembourg objects to the aforementioned reservation made by the Government of the State of Qatar to [the Convention]. This objection does not prevent the entry into force of the Convention between the Grand Duchy of Luxembourg and the State of Qatar.

NETHERLANDS

"The Government of the Netherlands considers the reservation made by the United States of America regarding the article 16 of [the Convention] to be incompatible with the object and purpose of the Convention, to which the obligation laid down in article 16 is essential. Moreover, it is not clear how the provisions of the Constitution of the United States of America relate to the obligations under the Convention. The Government of the Kingdom of the Netherlands therefore objects to the said reservation. This objection shall not preclude the entry into force of the Convention between the Kingdom of the Netherlands and the United States of America.

The Government of the Kingdom of the Netherlands considers the following understandings to have no impact on the obligations of the United States of America under the Convention:

II. 1 a This understanding appears to restrict the scope of the definition of torture under article 1 of the Convention.

1 d This understanding diminishes the continuous responsibility of public officials for behaviour of their subordinates.

The Government of the Kingdom of the Netherlands reserves its position with regard to the understandings II. 1b, 1c and 2 as the contents thereof are insufficiently clear.

"The Government of the Kingdom of the Netherlands considers that the reservation concerning the national law of Qatar, which seeks to limit the responsibilities of the reserving State under the Convention by invoking national law, may raise doubts as to the commitment of this State 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 hav chosen to become party should be respected, as to object and purpose, by all parties.

The Government of the Kingdom of the Netherlands therefore objects to the aforesaid reservation made by the Government of Qatar.

This objection shall not preclude the entry into force of the Convention between the Kingdom of the Netherlands and Qatar."

"The Government of the Kingdom of the Netherlands has carefully examined the reservations and the declaration made by the United Arab Emirates upon accession to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

The Government of the Kingdom of the Netherlands considers that the declaration made by the United Arab Emirates regarding Article 1 of the Convention in substance constitutes a reservation limiting the scope of the Convention.

The Government of the Kingdom of the Netherlands considers that with this reservation the application of the Convention is made subject to national legislation in force in the United Arab Emirates.

The Government of the Kingdom of the Netherlands considers that reservations of this kind must be regarded as incompatible with the object and purpose of the Convention and would recall that,according to customary international law, as codified in the Vienna Convention on the Law of Treaties, reservations incompatible with the object and purpose of a treaty shall not be permitted.

The Government of the Kingdom of the Netherlands therefore objects to the reservation of the United Arab Emirates to Article 1 of the Convention.

This objection does not preclude the entry into force of the Convention between the Kingdom of the Netherlands and the United Arab Emirates."

"The Government of the Kingdom of the Netherlands has carefully examined the reservations and the declarations made by the Lao People's Democratic Republic upon ratification of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

The Government of the Kingdom of the Netherlands considers that the declaration made by the Lao People's Democratic Republic regarding Article 1 of the Convention in substance constitutes a reservation limiting the scope of the Convention.

The Government of the Kingdom of the Netherlands considers that with this reservation the application of the Convention is made subject to national legislation in force in the Lao People's Democratic Republic.

The Government of the Kingdom of the Netherlands considers that reservations of this kind must be regarded as incompatible with the object and purpose of the Convention and would recall that, according to Article 19 (c) of the Vienna Convention on the Law of Treaties, reservations incompatible with the object and purpose of a treaty shall not be permitted.

The Government of the Kingdom of the Netherlands therefore objects to the reservation of the Lao People's Democratic Republic to Article 1 of the Convention.

This objection shall not preclude the entry into force of the Convention between the Kingdom of the Netherlands and the Lao People's Democratic Republic."

"The Government of the Kingdom of the Netherlands has carefully examined the reservations made by Fiji upon ratification of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

With respect to the reservation to Article 1 of the Convention, the Government of the Kingdom of the Netherlands notes that Fiji does not consider itself bound by the definition of torture contained therein and that it considers this definition only to be applicable to the extent as expressed in the Fijian Constitution.

The Government of the Kingdom of the Netherlands considers that such a reservation, which seeks to limit the responsibilities of the reserving State under the Convention by invoking provisions of its domestic law, is likely to deprive the provisions of the Convention of their effect and therefore must be regarded as incompatible with the object and purpose of the Convention.

The Government of the Kingdom of the Netherlands recalls that according to customary international law, as codified in the Vienna Convention on the Law of Treaties, reservations incompatible with the object and purpose of a treaty shall not be permitted.

The Government of the Kingdom of the Netherlands therefore objects to the reservation of Fiji to Article 1 of the Convention.

This objection does not preclude the entry into force of the Convention between the Kingdom of the Netherlands and Fiji."

NORWAY

"It is the Government of Norway's position that paragraph (a) of the reservation, due to its unlimited scope and undefined character, is contrary to the object and purpose of the Convention, and thus impermissible according to well established treaty law. The Government of Norway therefore objects to paragraph (a) of the reservation.

This objection does not preclude the entry into force in its entirety of the Convention between the Kingdom of Norway and Qatar. The Convention thus becomes operative between Norway and Qatar without Qatar benefitting from the said reservation."

"The Government of Norway has examined the contents of the reservation made by the Government of the Republic of Botswana upon ratification of the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

The reservation's reference to the national Constitution without further description of its contents, exempts the other States Parties to the Convention from the possibility of assessing the effects of the reservation. In addition, as the reservation concerns one of the core provisions of the Convention, it is the position of the Government of Norway that the reservation is contrary to the object and purpose of the Convention. Norway therefore objects to the reservation made by the Government of Botswana.

This objection does not preclude the entry into force in its entirety of the Convention between the Kingdom of Norway and the Republic of Botswana. The Convention thus becomes operative between Norway and Botswana without Botswana benefiting from the said reservation."

"The Government of Norway has examined the reservations made by the Islamic Republic of Pakistan upon ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Government of Norway considers that the reservations with regard to articles 3, 4, 6, 12, 13 and 16 of the Convention are so extensive as to be contrary to its object and purpose. The Government of Norway therefore objects to the said reservations made by the Islamic Republic of Pakistan. This objection does not preclude the entry into force in its entirety of the Convention between the Kingdom of Norway and the Islamic Republic of Pakistan. The Convention thus becomes operative between the Kingdom of Norway and the Islamic Republic of Pakistan without the Islamic Republic of Pakistan benefiting from the aforesaid reservations."

"The Government of Norway is of the view that this declaration in substance constitutes a general reservation aimed at limiting the scope of the Convention with reference to national law, without identifying the provisions in question. It is the understanding of the Government of Norway that the term 'lawful sanctions' in article 1, paragraph 1 of the Convention must be understood as referring to sanctions which are lawful not only under national law but also under international law. The Government of Norway accordingly considers that the reservation casts serious doubts on the commitment of the United Arab Emirates to the object and purpose of the Convention and therefore objects to the said reservation.

This objection does not preclude the entry into force of the Convention between the Kingdom of Norway and the United Arab Emirates. The Convention thus becomes operative between the Kingdom of Norway and the United Arab Emirates without the United Arab Emirates benefiting from the aforesaid reservation."

"The Government of Norway has examined the reservation made by the Government of the Republic of Fiji in relation to article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, in which the Government of the Republic of Fiji declares: 'The Government of the Republic of Fiji does not recognize the definition of Torture as provided for in article 1 of the Convention therefore shall not be bound by these provisions. The definition of Torture in the Convention is only applicable to the extent as expressed in the Fijian Constitution.'

By declaring itself not bound by an essential provision of the Convention and invoking general reference to the national Constitution without further description of its content, the Republic of Fiji exempts the other States Parties to the Convention from the possibility of assessing the full effects of the reservation. The Government of Norway is of the view that the reservation casts doubts as to the full commitment of the Government of the Republic of Fiji to the object and purpose of the Convention. Furthermore, such a reservation may 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 are respected, as to their object and purpose, by all Parties. The Government of Norway therefore objects to the aforesaid reservation.

This objection shall not preclude the entry into force of the Convention between the Kingdom of Norway and the Republic of Fiji. The Convention thus becomes operative between the Kingdom of Norway and the Republic of Fiji without the Republic of Fiji benefiting from the aforesaid reservation."

POLAND

"The Government of the Republic of Poland has examined the reservations made by the Islamic Republic of Pakistan upon accession to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment adopted by General Assembly of the United Nations on 10 December 1984, with regard to Articles 3, 4, 6, 8, 12, 13, 16, 28 and 30 of the Convention.

The Government of the Republic of Poland is of the view that the implementation of the reservations aiming at the elimination of the duty to fulfill by the reserving State vital obligations enshrined in the Convention made by the Islamic Republic of Pakistan with regard to Articles 3, 4, 6, 12, 13 and 16 of the Convention would make it impossible to attain the objective of the Convention, which is to protect entities from torture and other cruel, inhuman or degrading treatment or punishment and to make the struggle against such violations of human rights more effective. In consequence, according to Article 19 (c) of the Vienna Convention on the Law of Treaties, which is a treaty and customary norm, these reservations shall not be permitted as incompatible with the object and purpose of the Convention.

In order to justify its will to exclude the legal consequences of certain provisions of the Convention, the Islamic Republic of Pakistan raised in the reservations with regard to Articles 3, 4, 6, 12, 13 and 16 the inconsistency of these provisions with its domestic legislation. The Government of the Republic of Poland recalls that, according to Article 27 of the Vienna Convention on the Law of Treaties, which is a treaty and customary norm, the State Party to an international agreement may not invoke the provisions of its internal law as justification for its failure to perform a treaty.

The Islamic Republic of Pakistan refers in the above-mentioned reservations to the Sharia laws and to its domestic legislation as possibly affecting the application of the Convention. Nonetheless it does specify the exact

content of these laws and legislation. As a result, it is impossible to clearly define the extent to which the reserving State has accepted the obligations of the Convention.

Therefore, the Government of the Republic of Poland objects to the reservations made by the Islamic Republic of Pakistan upon accession to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment adopted by the General Assembly of the United Nations on 10 December 1984, with regard to Articles 3, 4, 6, 12, 13 and 16.

This objection does not preclude the entry into force of the Covenant between the Republic of Poland and the Islamic Republic of Pakistan."

"The Government of the Republic of Poland has examined the reservation made by the United Arab Emirates upon accession to the Convention against Torture and Other Cruel. Inhuman or Degrading Treatment or Punishment adopted by General Assembly of the United Nations on 10 December 1984, with regard to Article 1 of the Convention.

The reservation made by the United Arab Emirates with regard to Article 1 of the Convention is of general nature and in view of the reference to national law does not allow to define the extent to which State Party making a reservation will be bound by the Convention's provisions. In consequence, according to Article 19(c) of the Vienna Convention of the Law of Treaties, which is a treaty and customary norm, the reservation shall not be permitted as incompatible with the object and purpose of the treaty.

Therefore, the Government of the Republic of Poland objects to the reservation made by the United Arab Emirates upon accession to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment adopted by General Assembly of the United Nations on 10 December 1984, with regard to Article 1.

This objection does not preclude the entry into force of the Convention between the Republic of Poland and the United Arab Emirates."

"The Government of the Republic of Poland has examined the declaration made by the Socialist Republic of Viet Nam upon ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment adopted in New York on December 10, 1984. The declaration meets the definition of a reservation laid out in the Vienna Convention on the Law of

Treaties.

The Government of the Republic of Poland notes that the purpose and object of the Convention is to ensure an enhanced effectiveness of the protection from torture and other cruel or degrading treatment or punishment globally. To this end State-parties took it upon themselves to undertake legislative, administrative, judicial or other measures to prevent the use of torture.

The Government of the Republic of Poland notes that the reservation of the Socialist Republic of Viet Nam – to the extent it concerns not recognizing the Convention as a direct legal basis for extradition in relation to offences referred to in Article 4 – leads to an exemption of certain provisions of that treaty. The efficacy of Article 7, paragraph 1, and Article 8, paragraph 2, of the Convention will depend on the extradition treaties binding the Socialist Republic of Viet Nam or on the domestic authorities' decision regarding the principle of mutuality. Furthermore, the reservation may cause the avoidance of the obligation to supplement the catalogue of offences in the already-binding extradition treaties with the offence of use of torture as stipulated in Article 8, paragraph 1, of the

Convention.

It is the opinion of the Government of the Republic of Poland that the reservation is incompatible with the object and purpose of the Convention in relation to the indicated provisions and as such is not permissible.

Therefore, the Government of the Republic of Poland objects to the reservation made by the Socialist Republic of Viet Nam to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment adopted in New York on December 10, I984.

This objection does not preclude the entry into force of the Convention between the Socialist Republic of Viet Nam and the Republic of Poland."

PORTUGAL

"The Government of the Portuguese Republic has examined the reservations made by the Islamic Republic of Pakistan upon ratification of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, New York, 10 December 1984.

The Government of the Portuguese Republic considers that the reservations made by the Islamic Republic of Pakistan to Articles 3, 4, 6, 12, 13 and 16 are reservations that seek to subject the application of the Convention to its Constitution, its domestic law or/and Sharia Law, limiting the scope of the Convention on an unilateral basis and contributing to undermining the basis of International Law.

The Government of the Portuguese Republic considers that reservations by which a State limits its responsibilities under the International Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, by invoking its Constitution, the domestic law or/and the Sharia Law raise serious doubts as to the commitment of the reserving State to the object and purpose of the Convention, as the reservations are likely to deprive the provisions of the Convention of their effect and are contrary to the object and purpose thereof.

It is in the common interest of all the 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.

The Government of the Portuguese Republic recalls that, 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 the Convention shall not be permitted.

The Government of the Portuguese Republic therefore objects to the aforesaid reservations made by the Government of the Islamic Republic of Pakistan to Articles 3, 4, 6, 12, 13 and 16 of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, New York, 10 December 1984.

However, these objections shall not preclude the entry into force of the Convention between the Portuguese Republic and the Islamic Republic of Pakistan."

"The Government of the Portuguese Republic has examined the declaration made by the United Arab Emirates upon accession to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, New York, 10 December 1984.

The Government of the Portuguese Republic considers that the declaration made by the United Arab Emirates, to Article 1, is in fact a reservation that seeks to limit the scope of the Convention on a unilateral basis and is therefore contrary to its object and purpose.

The reservation furthermore is not compatible with the terms of Article 2 of the Convention according to which each State Party shall take effective measures to prevent acts of torture in any territory under its jurisdiction.

The Government of the Portuguese Republic recalls that, according to Article 19 (c) of the Vienna Convention on the Law of Treaties, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

The Government of the Portuguese Republic therefore objects to the aforesaid reservation made by the United Arab Emirates to Article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, New York, 10 December 1984.

However, this objection shall not preclude the entry into force of the Convention between the Portuguese Republic and the United Arab Emirates."

"The Government of the Portuguese Republic has examined the reservations and declaration made by the Lao People's Democratic Republic on ratification of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, New York, 10 December 1984.

The Government of the Portuguese Republic considers that the declaration made by the Lao People's Democratic Republic to Article 1 of the Convention, insofar as it refers to the national law of the Lao People's Democratic Republic, constitutes in substance a reservation of general scope, which does not specify the extent of the derogation and is incompatible with the object and purpose of the Convention.

The Government of the Portuguese Republic underlines that 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 the Convention shall not be permitted, and recalls that it is in the common interest of all 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.

The Government of the Portuguese Republic therefore objects to the aforesaid declaration made by the Government of the Lao People's Democratic Republic of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, New York, 10 December 1984.

The present objection shall not preclude the entry into force of the Convention between the Portuguese Republic and the Lao People's Democratic Republic."

ROMANIA

"The Government of Romania has examined the declaration made by the United Arab Emirates which sustains that 'the lawful sanctions applicable under national law, or pain or suffering arising from or associated with or incidental to these lawful sanctions, do not fall under the concept of 'torture' defined in article 1 of this Convention or under the concept of cruel, inhuman or degrading treatment or punishment mentioned in this Convention' and regards this declaration as a disguised reservation. The reservation refers to the legislation in force in the United Arab Emirates as to the definition of torture and thus to the scope of the application of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Furthermore, if the intention of the United Arab Emirates is to subordinate the application of the Convention entirely to the provisions of its internal law as it results from the text of the declaration, the reservation is contrary to the general rule (contained in article 27 VCLT) according to which a party may not invoke its internal law as justification for failure to perform a treaty. Thus, the reservation is inconsistent with the object and purpose of the treaty. Romania appreciates that the term 'lawful sanctions' under article 1, paragraph 1 of the Convention must not be subordinated only to domestic law but it incorporates also a standard of legality under international law.

For these reasons, the Government of Romania objects to the aforesaid reservation made by the United Arab Emirates to the Convention as being incompatible with its object and purpose even though the objection does not constitute an obstacle to the entry into force of the Convention between Romania and the United Arab Emirates. At the same time, the Government of Romania recommends the United Arab Emirates to reconsider its reservation and expresses the hope in its withdrawal."

SLOVAKIA

"The Slovak Republic has examined the reservations made by the Islamic Republic of Pakistan upon its ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, of 10 December 1984, according to which:

'The Government of the Islamic Republic of Pakistan declares that the provisions of Article 3 shall be so applied as to be in conformity with the provisions of its laws relating to extradition and foreigners.

The Government of the Islamic Republic of Pakistan declares that pursuant to Article 8, paragraph 2, of the Convention, it does not take this Convention as the legal basis for cooperation on extradition with other States Parties.

The Government of the Islamic Republic of Pakistan declares that the provisions of these Articles [Article 4, 6, 12, 13, and 16] shall be so applied to the extent that they are not repugnant to the Provisions of the Constitution of Pakistan and the Sharia laws.

In accordance with Article 28, paragraph 1, of the Convention, the Government of the Islamic Republic of Pakistan hereby declares that it does not recognize the competence of the Committee provided for in Article 20.

The Government of the Islamic Republic of Pakistan does not consider itself bound by Article 30, paragraph 1 of the Convention.'

The Slovak Republic considers that with the reservations to Articles 4, 6, 12, 13 and 16 the application of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment is made subject to the Islamic Sharia law. Moreover it considers the reservations with respect to Article 3 of the Convention as incompatible with the object and purpose of the Convention.

This makes it unclear to what extent the Islamic Republic of Pakistan considers itself bound by the obligations of the Convention as to its commitment to the object and purpose of the Convention.

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

The Slovak Republic recalls that the customary international law, as codified by the Vienna Convention on the Law of Treaties, and in particular Article 19 (c), sets out that the reservation that is incompatible with the object and purpose of a treaty is not permitted. The Slovak Republic therefore objects to the reservations made by the Islamic Republic of Pakistan to Articles 3, 4, 6, 12, 13 and 16 of the Convention.

This objection shall not preclude the entry into force of the Convention between the Slovak Republic and the Islamic Republic of Pakistan, without the Islamic Republic of Pakistan benefiting from its reservations."

SPAIN

The Government of the Kingdom of Spain considers that this declaration is actually a reservation, since its purpose is to exclude or modify the application of the legal effect of certain provisions of the Convention. Moreover, in referring in a general way to the domestic laws of Bangladesh, without specifying their content, the reservation raises doubts among the other States parties as to the extent to which the People's Republic of Bangladesh is committed to ratifying the Convention.

The Government of the Kingdom of Spain believes that the reservation lodged by the Government of the People's Republic of Bangladesh is incompatible with the objective and purpose of the Convention, for which the

provisions concerning redress and compensation for victims of torture are essential factors in the concrete fulfilment of the commitments made under the Convention.

The Government of the Kingdom of Spain therefore states an objection to the above-mentioned reservation lodged by the Government of the People's Republic of Bangladesh to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, concerning article 14, paragraph 1, of that Convention.

This objection does not affect the entry into force of the above-mentioned Convention between the Kingdom of Spain and the People's Republic of Bangladesh.

The Government of the Kingdom of Spain has examined the reservation made by the Government of the State of Qatar to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment on 11 January 2000, as to any interpretation of the Convention that is incompatible with the precepts of Islamic law and the Islamic religion.

The Government of the Kingdom of Spain considers that, by making a general reference to Islamic law and religion rather than to specific content, this reservation raises doubts among the other States parties as to the extent of the commitment of the State of Qatar to abide by the Convention.

The Government of the Kingdom of Spain considers the reservation made by the Government of the State of Qatar to be incompatible with the purpose and aim of the Convention, in that it relates to the entire Convention and seriously limits or even excludes its application on a basis which is not clearly defined, namely, a general reference to Islamic law.

Accordingly, the Government of the Kingdom of Spain objects to the above-mentioned reservation made by the Government of the State of Qatar to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. This objection does not prevent the Convention's entry into force between the Government of Spain and the Government of the State of Qatar.

The Government of the Kingdom of Spain has examined the reservations made by Pakistan upon its ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, with regard to articles 3, 4, 6, 12, 13 and 16 of that international instrument.

The Government of the Kingdom of Spain considers that those articles refer to rights and guarantees that are essential for achieving the object and purpose of the Convention. As the reservations formulated by Pakistan make application of those articles of the Convention subject to their consistency with domestic law on extradition, with the Constitution and with Sharia laws, to which it refers in general terms without specifying their content, they make it impossible to determine the extent of Pakistan's commitment to achieving the object and purpose of the Convention. Furthermore, they violate the principle of international law, well established in practice, that a State cannot make compliance with international obligations that are assumed voluntarily subordinate to the application of the provisions of domestic law, whatever their nature. In no case may such reservations, as formulated, exclude the legal effects of obligations arising from the relevant provisions of the Convention.

Consequently, the Government of the Kingdom of Spain objects to the reservations made to articles 3, 4, 6, 12, 13 and 16 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

This objection shall not preclude the entry into force of the Convention between the Kingdom of Spain and Pakistan.

SWEDEN

"The Government of Sweden would like to refer to its objections to the reservations entered by the United States of America with regard to article 7 of the International Covenant on Civil and Political Rights. *[For the text of the objections see under "Objections" in chapter IV.4]* . The same reasons for objection apply to the now entered reservation with regard to article 16 reservation I (1) of [the Convention]. The Government of Sweden therefore objects to that reservation.

It is the view of the Government of Sweden that the understandings expressed by the United States of America do not relieve the United States of America as a party to the Convention from the responsibility to fulfil the obligations undertaken therein."

"In this context the Government of Sweden would like to recall, that under well-established international treaty law, the name assigned to a statement whereby the legal effect of certain provisions of a treaty is excluded or modified, does not determine its status as a reservation to the treaty. Thus, the Government of Sweden considers that the declaration made by the Government of Bangladesh, in the absence of further clarification, in substance constitutes a reservation to the Convention.

The Government of Sweden notes that the said declaration imply that the said article of the Convention is being made subject to a general reservation referring to the contents of existing laws and regulations in the country.

The Government of Sweden is of the view that this declaration raises doubts as to the commitment of Bangladesh to the object and purpose of the Convention and would recall that, according to well-established international law, a resertion incompatible with the object and purpose of a treaty shall not be permitted.

It is in the common interest 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 these treaties.

The Government of Sweden therefore objects to the aforesaid declaration made by the Government of Bangladesh to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

"The Government of Sweden has examined the reservations made by the Government of Qatar at the time of its accession to the [Convention], as to the competence of the committee and to any interpretation of the provisions of the Convention that is incompatible with the precepts of Islamic laws and the Islamic religion.

The Government of Sweden is of the view that as regards the latter, this general reservation, which does not clearly specify the provisions of the Convention to which it applies and the extent of the derogation therefrom, raises doubts as to the commitment of Qatar to the object and purpose of the Convention.

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

According to customary law as codified in the Vienna Convention on the Law of Treaties, a reservation incompatible with the object and purpose of the Convention shall not be permitted. The Government of Sweden therefore objects to the aforesaid general reservation made by the Government of Qatar to the [Convention].

This shall not preclude the entry into force of the Convention between the State of Qatarand the Kingdom of Sweden, without Qatar benefiting from the said reservation".

"The Government of Sweden has examined the reservation made by Botswana upon ratification of the

1984 Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, regarding article 1 of the Convention.

The Government of Sweden notes that the said article of the Convention is being made subject to a general reservation referring to the contents of existing legislation in Botswana. Article 1.2 of the Convention states that the definition of torture in article 1.1 is "without prejudice to any international instrument or national legislation which does or may contain provisions of wider application".

The Government of Sweden is of the view that this reservation, in the absence of further clarification, raises doubts as to the commitment of Botswana to the object and purpose of the Convention. The government of Sweden would like to recall that, 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.

It is in the common interest 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.

The Government of Sweden therefore objects to the aforesaid reservation made by the Government of Botswana to the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

This objection shall not preclude the entry into force of the Convention between Botswana and Sweden. The Convention enters into force in its entirety between the two States, without Botswana benefiting from its reservation."

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

"The Government of Sweden recalls that the designation assigned to a statement does not determine whether or not it constitutes a reservation to a treaty. If the legal effect of certain provisions of a treaty is excluded or modified by an interpretative declaration, this in fact amounts to a reservation.

Since the application of a number of provisions of the Convention have been made subject to provisions of the Thai Penal Code it is unclear to what extent the Kingdom of Thailand considers itself bound by the obligations of the treaty. This in turn raises doubts as to the commitment of the Kingdom of Thailand to the object and purpose of the Convention. This applies in particular to the declaration

made under Article 1 of the Convention which contains a clear and generally recognized definition of the concept of torture.

The Government of Sweden therefore objects to the aforesaid reservation made by the Kingdom of Thailand to the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

This objection shall not precludethe entry into force of the Convention between the Kingdom of Thailand and Sweden, without the Kingdom of Thailand benefiting from its reservation."

"The Government of Sweden is of the view that these reservations raise serious doubt as to the commitment of the Islamic Republic of Pakistan to the object and purpose of the Convention, as the reservations are likely to deprive the provisions of the Convention of their effect and are contrary to the object and purpose thereof.

The Government of Sweden would like to recall that, 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. It is in the common interest 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.

The Government of Sweden therefore objects to the aforesaid reservations made by the Islamic Republic of Pakistan to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

This objection shall not preclude the entry into force of the Convention between Pakistan and Sweden. The Convention enters into force in its entirety between the two States, without Pakistan benefiting from these reservations."

"The Government of Sweden has examined the declaration and reservations made by the United Arab Emirates at the time of its accession to the Convention.

The Government of Sweden recalls that the designation assigned to a statement whereby the legal effect of certain provisions of a treaty is excluded or modified does not determine its status as a reservation to the treaty. The Government of Sweden considers that the declaration made by the United Arab Emirates in substance constitutes a reservation limiting the scope of the Convention.

The Government of Sweden notes that the reservation, according to which 'the lawful sanctions applicable under national law, or pain or suffering arising from or associated with or incidental to these lawful sanctions, do not fall under the concept of 'torture' defined in article 1 of this Convention or under the concept of cruel, inhuman or degrading treatment or punishment mentioned in this Convention', implies that the application of the Convention is made subject to a general reservation referring to existing legislation in the United Arab Emirates. The Government of Sweden is of the view that such a reservation, which does not clearly specify the extent of its scope, raises serious doubt as to the commitment of the United Arab Emirates to the object and purpose of the Convention.

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. It is in the common interest 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.

The Government of Sweden therefore objects to the aforesaid reservation made by the United Arab Emirates to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment and considers this reservation null and void. This objection shall not preclude the entry into force of the Convention between the United Arab Emirates and Sweden. The Convention enters into force between the United Arab Emirates and Sweden, without the United Arab Emirates benefiting from this reservation."

"The Government of Sweden recalls that the designation assigned to a statement whereby the legal effect of certain provisions of a treaty is excluded or modified does not determine its status as a reservation to the treaty. The Government of Sweden considers that the declaration made by the Lao People's Democratic Republic, according to which the term 'torture' in Article 1 paragraph 1 of the Convention shall mean torture as defined in both national law and international law, in substance constitutes a reservation modifying the scope of the Convention.

The Government of Sweden notes that this reservation implies that the application of the Convention is made subject to a general reservation referring to existing legislation in the Lao People's Democratic Republic. The Government of Sweden is of the view that such a reservation, which does not clearly specify the extent of the derogation, raises serious doubt as to the commitment of the Lao People's Democratic Republic to the object and purpose of the Convention.

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. It is in the common interest 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.

The Government of Sweden therefore objects to the aforesaid reservation made by the Lao People's Democratic Republic to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment and considers the reservation null and void.

This objection shall not preclude the entry into force of the Convention between the Lao People's Democratic Republic and Sweden. The Convention enters into force in its entirety between the Lao People's Democratic Republic and Sweden, without the Lao People's Democratic Republic benefiting from its reservation."

"The Government of Sweden has examined the contents of the reservation made by the Republic of Fiji in relation to article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Republic of Fiji expresses that '[t]he Government of the Republic of Fiji does not recognize the definition of Torture as provided for in article 1 of the Convention therefore shall not be bound by these provisions. The definition of Torture in the Convention is only applicable to the extent as expressed in the Fijian Constitution'.

As regards the reservation to the definition of torture provided for in article 1 of the Convention, Sweden would like to state the following.

Reservations by which a State Party limits its responsibilities under the Convention by not considering itself bound by certain articles and by invoking general references to national law may cast doubts on the commitments of the reserving state 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 also are respected, as to object and purpose, by all parties. The Government of Sweden therefore objects to the aforementioned reservation.

This objection shall not preclude the entry into force of the Convention between Sweden and the Republic of Fiji, without the Republic of Fiji benefitting from its aforementioned reservation."

SWITZERLAND

Concerning the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 10 December 1984:

"The Swiss Federal Council has examined the reservations made by the Islamic Republic of Pakistan upon its accession to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 10 December 1984, with regard to articles 3, 4, 6, 12, 13 and 16.

The reservations to the articles, which refer to the provisions of domestic law and Islamic Sharia law, do not specify their scope and raise doubts about the ability of the Islamic Republic of Pakistan to honour its obligations as a party to the Convention.

Article 19 of the Vienna Convention on the Law of Treaties of 23 May 1969 prohibits any reservation that is incompatible with the object and purpose of a treaty.

Consequently, the Swiss Federal Council objects to the aforesaid reservations made by the Islamic Republic of Pakistan to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 10 December 1984.

This objection does not preclude the entry into force of the Convention between Switzerland and the Islamic Republic of Pakistan."

The Swiss Federal Council has examined the reservations and the declaration made by the United Arab Emirates upon accession to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment of 10 December 1984. The Council believes that the declaration related to article 1 of the Convention, insofar as it refers to the national law of the United Arab Emirates, constitutes in substance a reservation of general scope, which does not specify the extent of the derogation and is therefore incompatible with the object and purpose of the Convention. Consequently, the Swiss Federal Council objects to the reservation. This objection shall not preclude the entry into force of the Convention between Switzerland and the United Arab Emirates.

The Swiss Federal Council has examined the reservations made by the Government of the Republic of Fiji upon ratification of the Convention of 10 December 1984 against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

The reservation made regarding the definition of torture contained in article 1 of the Convention, as well as the fact that in general it subordinates the definition of torture to the Constitution of the Republic of Fiji, constitutes a reservation of general scope that may raise doubts about the full commitment of the Republic of Fiji to the object and purpose of the Convention. The Swiss Federal Council notes that, according to article 19 (c) of the Vienna Convention of 23 May 1969 on the Law of Treaties, no reservation incompatible with the object and purpose of the Convention is permissible.

It is in the common interest of States that the object and purpose of the instruments to which they choose to become parties be respected by all parties thereto, and that States be prepared to amend their legislation in order to fulfil their treaty obligations.

Consequently, the Swiss Federal Council objects to the reservation made by the Republic of Fiji concerning article 1 of the Convention. This objection shall not preclude the entry into force of the Convention, in its entirety, between Switzerland and the Republic of Fiji.

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

"The Government of the United Kingdom of Great Britain and Northern Ireland has examined the reservations made by the Government of Pakistan to the Convention [against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment] on 23 June 2010, which read :

1. Article 3 – The Government of the Islamic Republic of Pakistan declares that provisions of Article 3 shall be so applied as to be in conformity with the provisions of its laws relating to extradition and foreigners.

2. Article 8 – The Government of the Islamic Republic of Pakistan declares that pursuant to Article 8, paragraph 2, of the Convention, it does not take this Convention as the legal basis for cooperation on extradition with other States Parties.

3. Article 4, 6, 12, 13 and 16 – The Government of the Islamic Republic of Pakistan declares that the provisions of these Articles shall be so applied to the extent that they are not repugnant to the Provisions of the Constitution of Pakistan and the Sharia laws.

4. Article 28 – In accordance with Article 28, paragraph 1, of the Convention, the Government of the Islamic Republic of Pakistan hereby declares that it does not recognize the competence of the Committee provided for in Article 20.

5. Article 30 – The Government of the Islamic Republic of Pakistan does not consider itself bound by Article 30, paragraph 1 of the Convention.

In the view of the United Kingdom a reservation should clearly define for the other States Parties to the Convention the extent to which the reserving State has

accepted the obligations of the Convention. Reservations which consist of a general reference to a constitutional provision, law or system of laws without specifying their contents do not do so.

The Government of the United Kingdom therefore objects to the reservations made by the Government of Pakistan to Articles 3, 4, 6, 12, 13 and 16.

The United Kingdom will re-consider its position in light of any modifications or withdrawals of the reservations made by the Government of Pakistan to the Convention."

"The Government of the United Kingdom have examined the Declaration made by the Government of the Lao People's Democratic Republic in respect of Article 1, paragraph 1 of the Convention: 'It is the understanding of the Government of the Lao People's Democratic Republic that the term 'torture' in Article 1, paragraph1 of the Convention means torture as defined in both national law and international law.'

The Government of the United Kingdom considers that the Declaration is capable of being understood as an attempt by the Government of the Lao People's Democratic Republic to exclude or modify the definition of torture set out in under Article 1 of the Convention. To the extent that the Declaration is intended to exclude or modify the definition of torture under Article 1 of the Convention, and is accordingly a reservation, the United Kingdom objects to the said reservation.

This objection shall not preclude the entry into force of the Convention between the United Kingdom of Great Britain and Northern Ireland and the Lao People's Democratic Republic."

"The United Kingdom Mission to the United Nations in New York […] wishes to lodge an objection to one of the reservations made by Fiji upon accession to the Convention against Torture and other Cruel, Inhuman and Degrading Treatment.

The reservation is as follows:

Reservation

'The Government of the Republic of Fiji does not recognize the definition of Torture as provided for in article 1 of the Convention therefore shall not be bound by these provisions. The definition of Torture in the Convention is only applicable to the extent as expressed in the Fijian Constitution.'

The Government of the United Kingdom considers that the effect of the reservation is to exclude or modify the definition of torture, which is incompatible with the object and purpose of the treaty.

Further, the Government of the United Kingdom note that a reservation which consists of a general reference to a system of law without specifying its contents does not clearly define for the other States Parties to the Convention the extent to which the reserving State has accepted the obligations of the Convention. The Government of the United Kingdom therefore object to the aforesaid reservation."

UNITED STATES OF AMERICA

"The Government of the United States of America objects to Pakistan's reservations to the CAT. Pakistan has reserved to Articles 3, 4, 6, 12, 13, and 16 of the Convention, which address non-refoulement, criminalization of acts which constitute torture, arrest or apprehension of those suspected of committing torture, investigation of credible allegations of torture, the right to bring before and have examined by competent authorities allegations of torture and for protection of complainants and witnesses, and the prevention of cruel, inhuman or degrading treatment or punishment. At the same time, Pakistan has chosen not to participate in the Committee's inquiry process under Article 20. The combination of Pakistan's reservations and its decision not to participate in the Article 20 process raises serious concerns because the reservations obscure the extent to which Pakistan intends to modify its substantive obligations under the Convention, and preclude further inquiry by the Committee if well-founded indications of systematic torture do arise. As a result, the United States considers the totality of Pakistan's reservations to Articles 3, 4, 6, 12, 13, and 16 to be incompatible with the object and purpose of the [Convention]. This objection does not constitute an obstacle to the entry into force of the [Convention] between the United States and Pakistan, and the aforementioned articles shall apply between our two states, except to the extent of Pakistan's reservations."

Declarations made under articles 21 and 22 (Declarations recognizing the Competence of the Committee against Torture) (Unless otherwise indicated, the declarations were made upon ratification, accession or succession.)

ALGERIA

The Algerian Government declares, pursuant to article 21 of the Convention, that it recognizes the competence of the Committee Against Torture to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under this Convention.

The Algerian Government declares, pursuant to article 22 of the Convention, that it recognizes the competence of the Committee to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention.

ANDORRA

1. The Principality of Andorra recognizes, in accordance with article 21 of the Convention, the competence of the Committee against Torture to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Convention.

2. The Principality of Andorra recognizes the competence of the Committee against Torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction, who claim to be victims of a violation of the provisions of the Convention.

ARGENTINA

The Argentine Republic recognizes the competence of the Committee against Torture to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under this Convention. It also recognizes the competence of the Committee to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention.

AUSTRALIA

"The Government of Australia hereby declares that it recognises, for and on behalf of Australia, the competence of the Committee to receive and consider communications

to the effect that a State Party claims that another State Party is not fulfilling its obligations under the aforesaid Convention; and

The Government of Australia hereby declares that it recognises, for and on behalf of Australia, the competence of the Committee to receive and consider communications from or on behalf of individuals subject to Australia's jurisdiction who claim to be victims of a violation by a State Party of the provisions of the aforesaid Convention."

AUSTRIA

"Austria recognizes the competence of the Committee against Torture to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under this Convention.

"Austria recognizes the competence of the Committee against Torture to receive and consider communications from or on behalf of individuals subject to Austrian jurisdiction who claim to be victims of a violation of the provisions of the Convention."

AZERBAIJAN

".....the Government of the Republic of Azerbaijan declares that it recognizes the competence of the Committee against Torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention."

BELGIUM

In accordance with article 21, paragraph 1, of the Convention, Belgium declares that it recognizes the competence of the Committee against Torture to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Convention."

In accordance with article 22, paragraph 1, of the Convention, Belgium declares that it recognizes the competence of the Committee against Torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention.

BOLIVIA (PLURINATIONAL STATE OF)

"The Government of Bolivia recognizes the competence of the Committee against Torture as provided for under article 21 of the Convention."

"The Government of Bolivia recognizes the competence of the Committee against Torture as provided for under article 22 of the Convention."

BOSNIA AND HERZEGOVINA

“The State of Bosnia and Herzegovina...., accepts without reservations the competence of the Committee Against Torture [in accordance with article 22].”

BRAZIL

".....the Federative Republic of Brazil recognizes the competence of the Committee against Torture to receive and consider denunciations of violations of the provisions of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted in New York on December 10, 1984, as permitted by Article 22 of the Convention."

BULGARIA

"The Republic of Bulgaria declares that in accordance with article 21 (2) of the Convention it recognizes the competence of the Committee against Torture to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under this Convention."

The Republic of Bulgaria declares that in accordance with article 22 (1) of the Convention it recognizes the competence of the Committee against Torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of this Convention."

BURUNDI

The Government of the Republic of Burundi declares that it recognizes the competence of the Committee of the United Nations against Torture to receive and consider individual communications in accordance with article 22, paragraph 1 of the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted at New York on 10 December 1984.

CAMEROON

[The Republic of Cameroon declares], that [it] recognizes the competence of the Committee against Torture to receive and consider communications from a State Party claiming that the Republic of Cameroon is not fulfilling its obligations under the Convention. However, such communications will not be receivable unless they refer to situations and facts subsequent to this declaration and emanate from a State Party which has made a similar declaration indicating its reciprocal acceptance of the competence of the Committee with regard to itself at least twelve (12) months before submitting its communication. [The Republic of Cameroon also declares] that it recognizes, in the case of situations and facts subsequent to this declaration, the competence of the Committee against Torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention.

CANADA

"The Government of Canada declares that it recognizes the competence of the Committee Against Torture, pursuant to article 21 of the said Convention, to receive and consider communications to the effect that a state party claims that another state party is not fulfilling its obligations under this Convention.

"The Government of Canada also declares that it recognizes the competence of the Committee Against Torture, pursuant to article 22 of the said Convention, to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a state party of the provisions of the Convention."

CHILE

By virtue of the powers vested in me by the Constitution of the Republic of Chile, I should like to declare that the Government of Chile recognizes the competence of the Committee against Torture established pursuant to article 17 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the General Assembly of the United Nations in resolution 39/46 of 10 December 1984, with respect to acts of which the commencement of execution is subsequent to the communication of this

declaration by the Republic of Chile to the Secretary-General of the United Nations

(a) To receive and consider communications to the effect that a State party claims that the State of Chile is not fulfilling its obligations under the Convention, in accordance with article 21 thereof; and

(b) To receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by the State of Chile of the provisions of the Convention, in accordance with article 22 thereof.

COSTA RICA

.....the Republic of Costa Rica, with a view to strengthening the international instruments in this field and in accordance with full respect for human rights, the essence of Costa Rica's foreign policy, recognizes, unconditionally and during the period of validity of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the competence of the Committee to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Convention.

Furthermore, the Republic of Costa Rica recognizes, unconditionally and during the period of validity of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the competence of the Committee to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention.

The foregoing is in accordance with articles 21 and 22 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the United Nations General Assembly on 10 December 1984.

CROATIA

"[The] Republic of Croatia . . . accepts the competence of the Committee in accordance with articles 21 and 22 of the said Convention."

CYPRUS

"The Republic of Cyprus recognizes the competence of the Committee established under article 17 of the Convention [...]:

I. to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Convention (article 21), and

II. to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention (Article 22)."

CZECH REPUBLIC

The Czech Republic declares that in accordance with article 21, paragraph 1, of the Convention that it recognizes the competence of the Committee to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under this Convention.

The Czech Republic declares, in accordance with article 22, paragraph 1, of the Convention, it recognizes the competence of the Committee to receive and consider communications from or on behalf of individuals within its jurisdiction who claim to be victims of violation by a State Party of the provisions of the Convention.

DENMARK

"The Government of Denmark [. . .] recognizes the competence of the Committee to receive and consider communications to the effect that the State Party claims that another State Party is not fulfilling its obligations under this Convention.

"The Government of Denmark [. . .] recognizes the competence of the Committee to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention."

ECUADOR

The Ecuadorian State, pursuant to article 21 of the International Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, recognizes the competence of the Committee against Torture to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Convention; it also recognizes in regard to itself the competence of the Committee, in accordance with article 21.

It further declares, in accordance with the provisions of article 22 of the Convention, that it recognizes the competence of the Committee to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention.

FINLAND

"Finland declares that it recognizes fully the competence of the Committee against Torture as specified in article 21, paragraph 1 and article 22, paragraph 1 of the Convention."

FRANCE

The Government of France declares [. . .] that it recognizes the competence of the Committee against Torture to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Convention.

The Government of France declares [. . .] that it recognizes the competence of the Committee against Torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention.

GEORGIA

"In accordance with article 21, paragraph 1, of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment done at New York on December 10, 1984 Georgia hereby declares that it recognizes the competence of the Committee against Torture under the conditions laid down in article 21, to receive and consider communications to the effect that another state party claims that Georgia is not fulfilling its obligations under this Convention.

In accordance with article 22, paragraph 1, of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment done at New York on December 10, 1984 Georgia hereby declares that it recognizes the competence of the Committee against Torture under the conditions laid down in article 22, to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by Georgia of the provisions of the Convention."

GERMANY

In accordance with article 21 (1) of the Convention, the Federal Republic of Germany declares that it recognizes the competence of the Committee against Torture to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Convention. In accordance with article 22 (1) of the Convention, the Federal Republic of Germany declares that it recognizes the competence of the Committee against Torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by the Federal Republic of Germany of the provisions of the Convention.

GHANA

"The Government of the Republic of Ghana recognises the competence of the Committee Against Torture to consider complaints brought by or against the Republic in respect of another State Party which has made a Declaration recognising the competence of the Committee as well as individuals subject to the jurisdiction of the Republic who claim to be victims of any violations by the Republic of the provsions of the said Convention.

The Government of the Republic of Ghana interprets Article 21 and Article 22 as giving the said Committee the competence to receive and consider complaints in respect of matters occurring after the said Convention had entered into force for Ghana and shall not apply to decisions, acts, omissions or events relating to matters, events, omissions, acts or developments occurring before Ghana becomes a party."

GREECE

The Hellenic Republic declares, pursuant to article 21, paragraph 1, of the Convention, that it recognizes the competence of the Committee against Torture to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Convention.

The Hellenic Republic declares, pursuant to article 22, paragraph 1, of the Convention, that it recognizes the competence of the Committee against Torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claims to be victims of a violation by a State Party of the provisions of the Convention.

GUATEMALA

In accordance with article 22 of the Convention..., the Republic of Guatemala recognizes the competence of the Committee to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation of the provisions of the Convention in respect of acts, omissions, situations or events occurring after the date of the present declaration.

GUINEA-BISSAU

1. Recognize the competence of the Committee Against Torture to receive and consider communications in which a Party claims that another Party is not fulfilling its obligations under this Convention, and

2. Also declare that we recognize the Committee's competence to receive and consider communications from individuals or groups of individuals within our jurisdiction claiming to be victims of a violation of any of the rights contained in this Convention.

HUNGARY

[The Government of Hungary] recognizes the competence of the Committee against Torture provided for in articles 21 and 22 of the Convention.

ICELAND

"[The Government of Iceland declares], pursuant to article 21, paragraph 1, of the [said] Convention, that Iceland recognizes the competence of the Committee against Torture to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Convention and, pursuant to article 22, paragraph 1, of the Convention, that Iceland recognizes the competence of the Committee against Torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention."

IRELAND

"Ireland declares, in accordance with article 21 of the Convention, that it recognizes the competence of the Committee against Torture to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under this Convention.

Ireland declares, in accordance with article 22 of the Convention, that it recognizes the competence of the Committee against Torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention."

ITALY

"Article 21: Italy hereby declares, in accordance with article 21, paragraph 1, of the Convention, that it recognizes the competence of the Committee against torture to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under this Convention;

"Article 22: Italy hereby declares, in accordance with article 22, paragraph 1, of the Convention, that it recognizes the competence of the Committee against torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of violations by a State Party of the provisions of the Convention."

JAPAN

"The Government of Japan declares under article 21 of the Convention that it recognizes the competence of the Committee against Torture to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under this Convention."

KAZAKHSTAN

In accordance with article 21, paragraph 1:

"..., the Republic of Kazakhstan hereby declares that it recognizes the competence of the Committee against torture under the conditions laid down in article 21, to receive and consider communications to the effect that another state party claims that the Republic of Kazakhstan is not fulfilling its obligations under this Convention."

In accordance with article 22, paragraph 1:

"..., the Republic of Kazakhstan hereby declares that it recognizes the competence of the Committee against torture under the conditions laid down in article 22, to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be

victims of a violation by the Republic of Kazakhstan of the provisions of the Convention."

LIECHTENSTEIN

The Principality of Liechtenstein recognizes, in accordance with article 21, paragraph 1, of the Convention, the competence of the Committee against Torture to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under this Convention.

The Principality of Liechtenstein recognizes in accordance with article 22, paragraph 1, the competence of the Committee against Torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention.

LUXEMBOURG

The Grand Duchy of Luxembourg hereby declares [. . .] that it recognizes the competence of the Committee against Torture to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under this Convention.

The Grand Duchy of Luxembourg hereby declares [. . .] that it recognizes the competence of the Committee against Torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention.

MALDIVES

"The Government of the Republic of Maldives hereby declares that it recognizes the competence of the Committee to receive and consider communications from or on behalf of individuals subject to the jurisdiction of the Republic of Maldives, who claim to be victims of violations by a State Party of the provisions of the aforesaid Convention."

MALTA

The Government of Malta fully recognizes the competence of the Committee against Torture as specified in article 21, paragraph 1, and article 22, paragraph 1, of the Convention.

MEXICO

The United Mexican States recognizes as duly binding the competence of the Committee against Torture, established by article 17 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the United Nations General Assembly on 10 December 1984.

Pursuant to Article 22 of the Convention, the United Mexican States declares that it recognizes the competence of the Committee to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention.

MONACO

In accordance with article 21, paragraph 1, of the Convention, the Principality of Monaco declares that it recognizes the competence of the Committee against Torture to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under this Convention.

In accordance with article 22, paragraph 1, of the Convention, the Principality of Monaco declares, that it recognizes the competence of the Committee against Torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention.

MONTENEGRO[9]

"Yugoslavia recognizes, in compliance with article 21, paragraph 1 of the Convention, the competence of the Committee against Torture to receive and consider communications in which one State Party to the Convention claims that another State Party does not fulfil the obligations pursuant to the Convention;

"Yugoslavia recognizes, in conformity with article 22, paragraph 1 of the Convention, the competence of the Committee against Torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention."

MOROCCO

The Government of the Kingdom of Morocco declares, under article 22 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, that it recognizes, on the date of deposit of the present document, the competence of the Committee against Torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation, subsequent to the date of deposit of the present document, of the provisions of the Convention.

NETHERLANDS

The Government of the Kingdom of the Netherlands hereby declares that it recognizes the competence of the Committee against Torture under the conditions laid down in article 21, to receive and consider communications to the effect that another State Party claims that the Kingdom is not fulfilling its obligations under this Convention;

The Government of the Kingdom of the Netherlands hereby declares that it recognizes the competence of the Committee against Torture, under the conditions laid down in article 22, to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by the Kingdom of the provisions of the Convention."

NEW ZEALAND

"1. In accordance with article 21, paragraph 1, of the Convention, [the Government of New Zealand declares] that it recognises the competence of the Committee Against Torture to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Convention; and

"2. In accordance with article 22, paragraph 1, of the Convention, [the Government of New Zealand] recognises the competence of the Committee Against Torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention."

NORWAY

"Norway recognizes the competence of the Committee to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under this Convention.

"Norway recognizes the competence of the Committee to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be

victims of a violation by a State Party of the provisions of the Convention."

PARAGUAY

.....the Government of the Republic of Paraguay recognizes the competence of the Committee against Torture, pursuant to articles 21 and 22 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, approved by the General Assembly of the United Nations on 10 December 1984.

.....the Honourable National Congress of the Republic of Paraguay has granted its approval for the recognition of the competence of the Committee to receive communications from States parties and individuals.

PERU

The Republic of Peru recognizes, in accordance with Article 21 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the competence of the Committee against Torture to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the said Convention.

Likewise, the Republic of Peru recognizes, in accordance with the provisions of Article 22 of the above-mentioned Convention, the competence of the Committee against Torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention.

POLAND

"The Government of the Republic of Poland, in accordance with articles 21 and 22 of the Convention, recognizes the competence of the Committee against Torture to receive and consider communications to the effect that a State Party claims that the Republic of Poland is not fulfilling its obligations under the Convention or communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by the Republic of Poland of the provisions of the Convention."

PORTUGAL

Portugal hereby declares, in accordance with article 21, paragraph 1, of the Convention, that it recognizes the competence of the Committee Against Torture to receive and consider communications to the effect that the State Party claims that another State Party is not fulfilling its obligations under this Convention.

Portugal hereby declares, in accordance with article 22, paragraph 1 of the Convention, that it recognizes the competence of the Committee Against Torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of violation by State Party of the provisions of the Convention."

REPUBLIC OF KOREA

The Republic of Korea recognizes the competence of the Committee against Torture, pursuant to Article 21 of the ….. Convention, to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under this Convention…

[The Republic of Korea] ….. recognizes the competence of the ….. Committee [against Torture], pursuant to Article 22 of the ….. Convention, to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention.

REPUBLIC OF MOLDOVA

"In accordance with article 21, paragraph 1, of the Convention, the Republic of Moldova recognizes the competence of the Committee against Torture to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under this Convention."

"In accordance with article 22, paragraph 1, of the Convention, the Republic of Moldova recognizes the competence of the Committee against Torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention."

RUSSIAN FEDERATION[18]

The Union of Soviet Socialist Republics declares that, pursuant to article 21 of the Convention, it recognizes the competence of the Committee against Torture to receive and consider communications in respect of situations and events occurring after the adoption of the present declaration, to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Convention.

The Union of Soviet Socialist Republics also declares that, pursuant to article 22 of the Convention, it recognizes the competence of the Committee to receive and consider communications in respect of situations or events occurring after the adoption of the present declaration, from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention.

SAN MARINO

"The Republic of San Marino hereby declares, in accordance with article 21, paragraph 1, of the Convention, that it recognizes the competence of the Committee against torture to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Convention…"

Article 22

"… The Republic of San Marino hereby declares, in accordance with article 22, paragraph 1, of the Convention, that it recognizes the competence of the Committee against torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of violations by a State Party of the provisions of the Convention."

SENEGAL

The Government of the Republic of Senegal declares, in accordance with article 21, paragraph 1, of the Convention that it recognizes the competence of the Committee against Torture to receive and consider communciations to the effect that a State Party claims that another State Party is not fulfilling its obligations under this Convention.

The Government of the Republic of Senegal declares, in accordance with article 22, paragraph 1, of the Convention that it recognizes the competence of the Committee against Torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention.

SERBIA

"Yugoslavia recognizes, in compliance with article 21, paragraph 1 of the Convention, the competence of the Committee against Torture to receive and consider communications in which one State Party to the

Convention claims that another State Party does not fulfil the obligations pursuant to the Convention;

"Yugoslavia recognizes, in conformity with article 22, paragraph 1 of the Convention, the competence of the Committee against Torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention."

SEYCHELLES

"The Republic of Seychelles accepts without reservations the competence of the Committee Against Torture."

SLOVAKIA

"The Slovak Republic, pursuant to article 21 of the [said Convention] recognizes the competence of the Committee against Torture to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under this Convention."

"The Slovak Republic further declares, pursuant to article 22 of the Convention, that it recognizes the competence of the Committee to receive and consider communications from individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention."

SLOVENIA

"1. The Republic of Slovenia declares that it recognizes the competence of the Committee against Torture, pursuant to article 21 of the said Convention, to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under this Convention.

2. The Republic of Slovenia also declares that it recognizes the competence of the Committee against Torture, pursuant to article 22 of the said Convention, to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention."

SOUTH AFRICA

"The Republic of South Africa declares that:

(a) it recognises, for the purposes of article 21 of the Convention, the competence of the Committee Against Torture to receive and consider communications that a State Party claims that another State Party is not fulfilling its obligations under the Convention;

(b) it recognises, for the purposes of article 22 of the Convention, the competence of the Committee Against Torture to receive and consider communications from, or on behalf of individuals who claim to be victims of torture by a State Party.

SPAIN

Spain declares that, pursuant to article 21, paragraph 1, of the Convention, it recognizes the competence of the Committee to receive and consider communications to the effect that a State Party claims that the Spanish State is not fulfilling its obligations under this Convention. It is Spain's understanding that, pursuant to the above-mentioned article, such communications shall be accepted and processed only if they come from a State Party which has made a similar declaration.

Spain declares that, pursuant to article 22, paragraph l, of the Convention, it recognizes the competence of the Committee to receive and consider communications sent by, or on behalf of, persons subject to Spanish jurisdiction who claim to be victims of a violation by the Spanish State of the provisions of the Convention. Such communications must be consistent with the provisions of the above-mentioned article and, in particular, of its paragraph 5.

SRI LANKA

"The Government of the Democratic Socialist Republic of Sri Lanka declares, pursuant to Article 22 of the Convention against Torture, that it recognizes the competence of the Committee to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by Sri Lanka of the provisions of the Convention."

SWEDEN

"Sweden recognizes the competence of the Committee to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under this Convention.

"Sweden recognizes the competence of the Committee to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention."

SWITZERLAND

(a) Pursuant to the Federal Decree of 6 October 1986 on the approval of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Federal Council declares, in accordance with article 21, paragraph 1, of the Convention, that Switzerland recognizes the competence of the Committee against Torture to receive and consider communications to the effect that a State Party claims that Switzerland is not fulfilling its obligations under this Convention.

(b) Pursuant to the above-mentioned Federal Decree, the Federal Council declares, in accordance with article 22, paragraph 1, of the Convention, that Switzerland recognizes the competence of the Committee to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by Switzerland of the provisions of the Convention.

TOGO

The Government of the Republic of Togo recognizes the competence of the Committee against Torture to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under this Convention.

The Government of the Republic of Togo recognizes the competence of the Committee against Torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention.

TUNISIA

[The Government of Tunisia] declares that it recognizes the competence of the Committee Against Torture provided for in article 17 of the Convention to receive communications pursuant to articles 21 and 22, thereby withdrawing any reservation made on Tunisia's behalf in this connection.

TURKEY

"The Government of Turkey declares, pursuant to article 21, paragraph 1, of the Convention that it recognizes the competence of the Committee Against Torture to receive and consider communications to the

effect that a State Party is not fulfilling its obligations under the Convention.

The Government of Turkey declares, pursuant to article 22, paragraph 1, of the Convention that it recognizes the competence of the Committee Against Torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention."

UGANDA

"In accordance with Article 21 of the Convention, the Government of the Republic of Uganda declares that it recognizes the competence of the Committee against Torture to receive and consider communications submitted by another State party, provided that such other State Party has made a declaration under Article 21 recognizing the competence of the Committee to receive and consider communications in regard to itself."

UKRAINE[18]

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

"The Government of the United Kingdom declares under article 21 of the said Convention that it recognizes the competence of the Committee Against Torture to receive and consider communications submitted by another State Party, provided that such other State Party has, not less than twelve months prior to the submission by it of a communication in regard to the United Kingdom, made a declaration under article 21 recognizing the competence of the Committee to receive and consider communications in regard to itself."

UNITED STATES OF AMERICA

"The United States declares, pursuant to article 21, paragraph 1, of the Convention, that it recognizes the competence of the Committee against Torture to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Convention. It is the understanding of the United States that, pursuant to the above-mentioned article, such communications shall be accepted and processed only if they come from a State Party which has made a similar declaration."

URUGUAY

The Government of Uruguay recognizes the competence of the Committee Against Torture to receive and consider communications referring to the said articles [21 and 22].

VENEZUELA (BOLIVARIAN REPUBLIC OF)

"The Government of the Republic of Venezuela recognizes the competence of the Committee against Torture as provided for under articles 21 and 22 of the Convention."

YUGOSLAVIA (FORMER)[4]

Notes:

[1] Including the provisions of articles 21 and 22 concerning the competence of the Committee against Torture, more than five States having, prior to that date, declared that they recognized the competence of the Committee against Torture, in accordance with the said articles.

[2] *Official Records of the General Assembly of the United Nations, Thirty-ninth session, Supplement No. 51* (A/39/51), p. 197.

[3] The German Democratic Republic had signed and ratified the Convention on 7 April 1986 and 9 September 1987, respectively, with the following reservations and declaration:

Reservations:

The German Democratic Republic declares in accordance with article 28, paragraph 1 of the Convention that it does not recognize the competence of the Committee provided for in article 20.

The German Democratic Republic declares in accordance with article 30, paragraph 2 of the Convention that it does not consider itself bound by paragraph l of this article.

Declaration:

The German Democratic Republic declares that it will bear its share only of those expenses in accordance with article 17, paragraph 7, and article 18, paragraph 5, of the Convention arising from activities under the competence of the Committee as recognized by the German Democratic Republic.

In this regard, the Government of the United Kingdom of Great Britain and Northern Ireland declared, in a letter accompanying its instrument of ratification, the following:

"The Government of the United Kingdom of Great Britain and Northern Ireland has taken note of the reservations formulated by the Government of the German Democratic Republic pursuant to article 28, paragraph 1, and article 30, paragraph 2, respectively, and the declaration made by the German Democratic Republic with reference to article 17, paragraph 7, and article 18, paragraph 5. It does not regard the said declaration as affecting in any way the obligations of the German Democratic Republic as a State Party to the Convention (including the obligations to meet its share of the expenses of the Committee on Torture as apportioned by the first meeting of the States Parties held on 26 November 1987 or any subsequent such meetings) and do notaccordingly raise objections to it. It reserves the rights of the United Kingdom in their entirety in the event that the said declaration should at any future time be claimed to affect the obligations of th German Democratic Republic as aforesaid."

Moreover, the Secretary-General had received from the following States, objections to the declaration made by the German Democratic Republic, on the dates indicated hereinafter:

France (23 June 1988) :

France makes an objection to [the declaration] which it considers contrary with the object and purpose of the Convention.

The said objection is not an obstacle to the entry into force of the said Convention between France and the German Democratic Republic.

Luxembourg (9 September 1988):

The Grand Duchy of Luxembourg objects to this declaration, which it deems to be a reservation the effect of which would be to inhibit activities of the Committee in a manner incompatible with the purpose and the goal of the Convention.

The present objection does not constitute an obstacle to the entry into force of the said Convention between the Grand Duchy of Luxembourg and the German Democratic Republic.

Sweden (28 September 1988):

"According to article 2, paragraph 1 (d) of the Vienna Convention on the Law of Treaties a unilateral statement, whereby a State e.g. when ratifying a treaty purports to exclude the legal effect of certain provisions of the Treaty in their application, is regarded as a reservation. Thus, such unilateral statements are considered as reservations regardless of their name or phrase. The Government of Sweden has come to the conclusion that the declaration made by the German Democratic Republic is incompatible with the object and purpose of the Convention and therefore is invalid according to article 19 (c) of the Vienna Convention on the Law of Treaties. For this reason the Government of Sweden objects to this declaration."

Austria (29 September 1988):

"The Declaration [. . .] cannot alter or modify, in any respect, the obligations arising from that Convention for all States Parties thereto."

Denmark (29 September 1988):

"The Government of Denmark hereby enters its formal objction to [the declaration] which it considers to be a unilateral statement with the purpose of modifying the legal effect of certain provisions of the Convention against Torture, and Other Cruel, Inhuman or Degrading Treatment or Punishment in their application to the German Democratic Republic. It is the position of the Government of Denmark that the said declaration has no legal basis in the Convention or in international treaty law.

"This objection is not an obstacle to the entry into force of the said Convention between Denmark and the German Democratic Republic."

Norway (29 September 1988):

"The Government of Norway cannot accept this declaration entered by the German Democratic Republic. The Government of Norway considers that any such declaration is without legal effect, and cannot in any manner diminish the obligation of a government to contribute to the costs of the Committee in conformity with the provisions of the Convention."

Canada (5 October 1988):

The Government of Canada considers that this declaration is incompatible with the object and purpose of the Convention against Torture, and thus inadmissible under article 19 (c) of the Vienna Convention on the Law of Treaties. Through its functions and its activities, the Committee against Torture plays an essential role in the execution of the obligations of States parties tothe Convention against Torture. Any restriction whose effect is to hamper the activities of the Committee would thus be incompatible with the object and purpose of the Convention.

Greece (6 October 1988):

The Hellenic Republic raises an objection to [the declaration], which it considers to be in violation of article 19, paragraph (b), of the Vienna Convention on the Law of Treaties. The Convention against Torture expressly sets forth in article 28, paragraph 1, and article 30, paragraph 2, the reservations which may be made. The declaration of the German Democratic Republic is not, however, in conformity with these specified reservations.

This objection does not preclude the entry into force of the said Convention as between the Hellenic Republic and the German Democratic Republic.

Spain (6 October 1988):

. . . The Government of the Kingdom of Spain feels that such a reservation is a violation of article 19, paragraph (b), of the Vienna Convention on the Law of Treaties of 23 May 1969, because the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment sets forth, in article 28, paragraph 1, and article 30, paragraph 2, the only reservations that may be made to the Convention, and the above-mentioned reservation of the German Democratic Republic does not conform to either of those reservations.

Switzerland (7 October 1988):

. . . That reservation is contrary to the purpose and aims of the Convention which are, through the Committee's activities, to encourage respect for a vitally important human right and to enhance the effectiveness of the struggle against torture the world over. This objection does not have the effect of preventing the Convention from entering into force between the Swiss Confederation and the German Democratic Republic.

Italy (12 January 1989) :

The Convention authorizes only the reservations indicated in article 28 (1) and 30 (2). The reservation made by the German Democratic Republic is not therefore admissible under the terms of article 19 (b) of the 1969 Vienna Convention on the Law of Treaties.

Portugal (9 February 1989):

". . . The Government of Portugal considers that this declaration is incompatible with the object and purpose of the present Convention. This objection does not constitute an obstacle to the entry into force of the Convention between Portugal and G.D.R."

Australia (8 August 1989):

"The Government of Australia considers that this declaration is incompatible with the object and purpose of the Convention and, accordingly, hereby conveys Australia's objetion to the declaration."

Finland (20 October 1989):

". . . The Government of Finland considers that any such declaration is without legal effect, and cannot in any manner diminish the obligation of a government to contribute to the costs of the Committee in conformity with the provisions of the Convention."

New Zealand (10 December 1989):

". . . The Government of New Zealand considers that this declaration is incompatible with the object and purpose of the Convention. This objection does not constitute an obstacle to the entry into force of the Convention between New Zealand and the German Democratic Republic."

Netherlands (21 December 1989):

"This declaration, clearly a reservation according to article 2, paragraph 1, under (d), of the Vienna Convention on the Law of Treaties, not only "purports to exclude or modify the legal effect" of articles 17, paragraph 7, and 18, paragraph 5, of the present Convention in theirapplication to the German Democratic Republic itself, but it would also affect the obligations of the other States Parties which would have to pay additionally in order to ensure the proper functioning of the Committee Against Torture. For this reason the reservation is not acceptable to the Government of the Kingdom of the Netherlands.

"Thus, the assessment of the financial contributions of the States Parties to be made under article 17, paragraph 7, and article 18, paragraph 5, must be drawn up in disregard of the declaration of the German Democratic Republic."

Subsequently, in a communication received on 13 September 1990, the Government of the German Democratic Republic notified the Secretary-General that it had decided to withdraw the reservations, made upon ratification, to articles 17 (7), 18 (5), 20 and 30 (1) of the Convention.

Further, the Government of the German Democratic Republic made the following declaration in respect of articles 21 and 22 of the Convention:

"The German Democratic Republic declares in accordance with article 21, paragraph 1, that it recognizes the competence of the Committee to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under this Convention.

"The German Democratic Republic in accordance with article 22, paragraph 1, declares that it recognizes the competence of the Committee to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention."

See also note 2 under “Germany” in the “Historical Information” section in the front matter of this volume.

[4] The former Yugoslavia had signed and ratified the Convention on 18 April 1989 and 10 September 1991, respectively, with the following declaration:

"Yugoslavia recognizes, in compliance with article 21, paragraph 1 of the Convention, the competence of the Committee against Torture to receive and consider communications in which one State Party to the Convention claims that another State Party does not fulfil the obligations pursuant to the Convention;

"Yugoslavia recognizes, in conformity with article 22, paragraph 1 of the Convention, the competence of the Committee against Torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention."

See also note 1 under “Bosnia and Herzegovina”, “Croatia”, “former Yugoslavia”, “The Former Yugoslav Republic of Macedonia”, “Slovenia” and “Yugoslavia” in the “Historical Information” section in the front matter of this volume.

[5] On 15 June 1999, the Governement of Portugal notified the Secretary-General that the Convention would apply to Macao.

Subsequently, the Secretary-General received communications concerning the status of Macao from China and Portgual (see note 3 under “China” and note 1 under “Portugal” regarding Macao in the “Historical Information” section in the front matter of this volume). Upon resuming the exercise of sovereignty over Macao, China notified the Secretary-General that the Convention with the reservation made by China will also apply to the Macao Special Administrative Region.

[6] On 10 June 1997, the Secretary-General received communications concerning the status of Hong Kong from the Governments of China and the United Kingdom (see also note 2 under “China” and note 2 under “United Kingdom of Great Britain and Northern Ireland” regarding Hong Kong in the “Historical Information” section in the front matter of this volume). Upon resuming the exercise of sovereignty over Hong Kong, China notified the Secretary-General that the Convention with the reservation made by China will also apply to the Hong Kong special Administrative Region.

[7] Czechoslovakia had signed and ratified the Convention on 8 September 1986 and 7 July 1988, respectively, with the following reservations:

"The Czechoslovak Socialist Republic does not consider itself bound, in accordance with Article 30, paragraph 2, by the provisions of Article 30, paragraph 1, of the Convention."

"The Czechoslovak Socialist Republic does not recognize the competence of the Committee against Torture as defined by article 20 of the Convention."

Subsequently, on 26 April 1991, the Government of Czechoslovakia notified the Secretary-General of its decision to withdraw the reservation with respect to article 30 (1).

On 17 March 1995 and 3 September 1996, respectively, the Governments of Slovakia and the Czech Republic notified the Secretary-General that they had decided to withdraw the

reservation with respect to article 20 made by Czechoslovakia upon signature, and confirmed upon ratification.

See also note 1 under “Czech Republic” and note 1 under “Slovakia” in the “Historical Information” section in the front matter of this volume

[8] See note 1 under “Germany” regarding Berlin (West) in the “Historical Information” section in the front matter of this volume.

[9] See note 1 under "Montenegro" in the "Historical Information" section in the front matter of this volume.

[10] For the Kingdom in Europe, the Netherlands Antilles and Aruba. See also note 2 under “Netherlands” regarding Netherlands Antilles in the “Historical Information” section in the front matter of this volume.

[11] On 20 October 2015, the Government of Ukraine made a communication. The text can be found here: C.N.612.2015.TREATIES-IV.9 of 20 October 2015.

[12] For the United Kingdom of Great Britain and Northern Ireland, Anguilla, British Virgin Islands, Cayman Islands, Falkland Islands (Malvinas), Gibraltar, Montserrat, Pitcairn, Henderson, Ducie and Oeno Islands, Saint Helena, Saint Helena Dependencies, and Turks and Caicos Islands.

In this connection, on 14 April 1989, the Secretary-General received from the Government of Argentina the following objection:

The Government of Argentina reaffirms its sovereignty over the Malvinas Islands, which form part of its national territory, and, with regard to the Malvinas Islands, formally objects to and rejects the declaration of territorial extension issued by the United Kingdom of Great Britain and Northern Ireland in the instrument of ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, deposited with the Secretary-General of the United Nations on 8 December 1988.

The General Assembly of the United Nations adopted resolutions 2065 (XX), 3160 (XXVIII), 31/49, 37/9, 38/12 and 39/6 in which it recognizes the existence of a sovereignty dispute regarding the question of the Malvinas Islands and has repeatedly requested the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland to resume negotiations in order to find as soon as possible a peaceful and definitive solution to the dispute and their remaining differences relating to that question, through the good offices of the Secretary-General. The General Assembly also adopted resolutions 40/21, 41/40, 42/19 and 43/25, which request the parties to initiate negotiations with a view to finding the means to resolve peacefully and definitively the problems pending between both countries, including all aspects on the future of the Malvinas Islands.

Subsequently, on 17 April 1991, the Secretary-General received from the Government of Argentina the following declaration:

The Argentine Government rejects the extension of the application of the [said] Convention to the Malvinas Islands, effected by the United Kingdom of Great Britain and Northern Ireland on 8 December 1988, and reaffirms the rights of sovereignty of the Argentine Republic over those Islands, which are an integral part of its national territory.

The Argentine Republic recalls that the United Nations General Assembly has adopted resolutions 2065 (XX), 3160 (XXVIII), 31/49, 37/9, 38/12, 39/6, 40/21, 41/40, 42/19 and 43/25, in which it recognizes the existence of a sovereignty dispute and requests the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland to initiate negotiations with a view to finding the means to resolve peacefully and definitively the pending questions of sovereignty, in accordance with the Charter of the United Nations.

On 9 December 1992, the Government of the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General that the Convention applies to the Bailiwick of Guernsey, the Bailiwick of Jersey, the Isle of Man, Bermuda and Hong Kong *(see also note 4)* .

[13] On 3 June 1994, the Secretary-General received a communication from the Government of the United States of America requesting, in compliance with a condition set forth by the Senate of the United States of America, in giving advice and consent to the ratification of the Convention, and in contemplation of the deposit of an instrument of ratification of the Convention by the Government of the United States of America, that a notification should be made to all present and prospective ratifying Parties to the Convention to the effect that:

"... nothing in this Convention requires or authorizes legislation, or other action, by the United States of America prohibited by the Constitution of the United States as interpreted by the United States."

[14] On 17 April 2018, the Government of Afghanistan notified the Secretary-General of its decision to withdraw the following reservations made upon ratification:

While ratifying the above-mentioned Convention, the Democratic Republic of Afghanistan, invoking paragraph 1 of the article 28, of the Convention, does not recognize the authority of the committee as foreseen in the article 20 of the Convention.

Also, according to paragraph 2 of the article 30, the Democratic Republic of Afghanistan, will not be bound to honour the provisions of paragraph 1 of the same article since according to that paragraph 1 the compulsory submission of disputes in connection with interpretation or the implementation of the provisions of this Convention by one of the parties concerned to the International Court of Justice is deemed possible. Concerning to this matter, it declares that the settlement of disputes between the States Parties, such disputes may be referred to arbitration or to the International Court of Justice with the consent of all the Parties concerned and not by one of the Parties.

[15] On 26 November 2018, the Government of Austria notified the Secretary-General of its decision to withdraw the following declaration made upon ratification in respect of article 5 of the Convention:

"1. Austria will establish its jurisdiction in accordance with article 5 of the Convention irrespective of the laws applying to the place where the offence occurred, but in respect of paragraph 1 (c) only if prosecution by a State having jurisdiction under paragraph 1 (a) or paragraph 1 (b) is not to be expected."

[16] On 4 August 1998, the Government Bahrain withdrew the following reservation to article 20 made upon accession:

1. The State of Bahrain does not recognize the competence of the Committee for which provision is made in article 20 of the Convention.

[17] In this regard, the Secretary-General received communications from the following Governments on the dates indicated hereinafter:

Germany (17 December 1999):

"The Government of the Federal Republic of Germany notes that the said declaration constitutes a reservation of a general nature. A reservation according to which article 14 paragraph 1 of the Convention will only be applied by the Government of the People's Republic of Bangladesh "in consonance with the existing laws and legislation in the country" raises doubts as to the full commitment of Bangladesh to the object and purpose of the Convention. It is in the common interest 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 these treaties.

The Government of the Federal Republic of Germany therefore objects to the reservation made by the Government of the People's Republic of Bangladesh to the Convention. This objection does not preclude the entry into force of the Convention between the Federal Republic of Germany and the People's Republic of Bangladesh".

Netherlands (20 December 1999):

"The Government of the Kingdom of the Netherlands considers that such a reservation, which seeks to limit the responsibilities of the reserving State under the Convention by invoking national law, may raise doubts as to the commitment of this State 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 the aforesaid reservation made by the Government of Bangladesh.

This objection shall not preclude the entry into foofConvention between the Kingdom of the Netherlands and Bangladesh".

[18] In communications received on 8 March 1989, 19 and 20 April 1989 respectively, the Governments of the Union of Soviet Socialist Republics, the Byelorussian Soviet Socialist Republic and the Ukrainian Soviet Socialist Republic notified the Secretary-General that they had decided to withdraw the reservations concerning article 30 (1) made upon ratification. The reservation made by the Union of Soviet Socialist Republics, which is identical in essence, *mutatis mutandis* , as the one made by the other two Governments, reads as follows:

The Union of Soviet Socialist Republics does not consider itself bound by the provisions of paragraph 1 of article 30 of the Convention.

Subsequently, on 1 October 1991, 3 October 2001, and 12 September 2003, respectively, the Governments of the Union of Soviet Socialist Republics, Belarus and Ukraine notified the Secretary-General that it had decided to withdraw the following reservation with regard to article 20 made upon signature and confirmed upon ratification. The reservation made by Belarus, which is identical in essence, mutatis mutandis, as the one made by the Union of Soviet Socialist Republics, reads as follows:

The Union of Soviet Socialist Republics does not recognize the competence of the Committee against Torture as defined by article 20 of the Convenant.

On 12 September 2003, Ukraine not only had decided to withdraw the reservation under article 20 but also the declarations made under articles 21 and 22 whic read as follows:

"…..Ukraine has decided to withdraw the reservations concerning Article 20 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which was adopted at New York on 10 December 1984, made upon signature and confirmed upon ratification thereof.

Ukraine fully recognizes extension to its territory of Article 21 of the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment as regards recognition of the competence of the Committee against Torture to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under this Convention.

Ukraine fully recognizes extension to its territory of Article 22 of the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment as regards recognition of the competence of the Committee against Torture to receive and consider communications from or on behalf of individuals subject to jurisdiction of a State Party who claim to be victims of a violation by a State Party of the provisions of the Convention.

Ukraine declares that the provisions of Articles 20, 21 and 22 of the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment shall extend to cases which may arise as from the date of receipt by the UN Secretary General of the notification concerning the withdrawal of reservations and relevant declarations of Ukraine."

[19] On 24 June 1992 and 25 June 1999, respectively, the Government of Bulgaria notified the Secretary-General of its decision to withdraw the reservations to article 30 (1) and 20, made upon signature and confirmed upon ratification. For the text of the reservations, see United Nations, *Treaty Series* , vol. 1465, p. 198.

[20] In a communication received on 7 September 1990, the Government of Chile notified the Secretary-General that it had decided to withdraw the declaration made by virtue of article 28

(1) upon signature and confirmed upon ratification by which the Government did not recognize the competence of the Committee against torture as defined by article 20 of the Convention. The Government of Chile further decided to withdraw the following reservations, made upon ratification, to article 2 (3) and article 3, of the Convention:

(a) [To] Article 2, paragraph 3, in so far as it modifies the principle of "obedience upon reiteration" contained in Chilean domestic law. The Government of Chile will apply the provisions of that international norm to subordinate personnel governed by the Code of Military Justice, provided that the order patently intended to lead to perpetration of the acts referred to in article 1 is not insisted on by the superior officer after being challenged by his subordinate.

(b) Article 3, by reason of the discretionary and subjective nature of the terms in which it is drafted.

It will be recalled that the Secretary-General had received various objections to the said declarations from the following States on the dates indicated hereinafter:

Italy (14 August 1989):

The Government of Italy considers that the reservations entered by Chile are not valid, as they are incompatible with the objection and purpose of the Convention. The present objection is in no way an obstacle to the entry into force of this Convention between Italy and Chile.

Denmark (7 September 1989):

"The Danish Government considers the said reservations as being incompatible with the object and purpose of the Convention and therefore invalid.

"This objection is not an obstacle to the entry into force of the said Convention between Denmark and Chile."

Luxembourg (12 September 1989):

. . . The Grand Duchy of Luxembourg objects to the reservations, which are incompatible with the intent and purpose of the Convention.

This objection does not represent an obstacle to the entry into force of the said Convention between the Grand Duchy of Luxembourg and Chile.

Czechoslovakia (20 September 1989):

"The Czechoslovak Socialist Republic considers the reservations of the Government of Chile [. . .] as incompatible with the object and purpose of this Convention.

"The obligation of each State to prevent acts of torture in any territory under its jurisdiction is unexceptional. It is the obligation of each State to ensure that all acts of torture are offences under its criminal law. This obligation is confirmed, *inter alia* , in article 2, paragraph 3 of the Convention concerned.

"The observance of provisions set up in article 3 of this Convention is necessitated by the need to ensure more effective protection for persons who might be in danger of being subjected to torture and this is obviously one of the principal purposes of the Convention.

"Therefore, the Czechoslovak Socialist Republic does not recognize these reservations as valid."

France (20 September 1989):

France considers that the reservations made by Chile are not valid as being incompatible with the object and purpose of the Convention.

Such objection is not an obstacle to the entry into force of the Convention between France and Chile.

Sweden (25 September 1989):

". . . These reservations are incompatible with the object and purpose of the Convention and therefore are impermissible according to article 19 (c) of the Vienna Convention on the Law of Treaties. For this reason the Government of Sweden objects to these reservations. This objection does not have the effect of preventing the Convention from entering into force between Sweden and Chile, and the said reservations cannot alter or modify, in any respect, the obligations arising from the Convention."

Spain (26 September 1989):

. . . The aforementioned reservations are contrary to the purposes and aims of the Convention.

The present objection does not constitute an obstacle to the entry into force of the Convention between Spain and Chile.

Norway (28 September 1989):

". . . The Government of Norway considers the said reservations as being incompatible with the object and purpose of the Convention and therefore invalid.

"This objection is not an obstacle to the entry into force of the said Convention between Norway and Chile."

Portugal (6 October 1989):

". . .The Government of Portugal considers such reservations to be incompatible with the object and purpose of this Convention and therefore invalid.

"This objection does not constitute an obstacle to the entry into force of the Convention between Portugal and Chile."

Greece (13 October 1989):

Greece does not accept the reservations since they are incompatible with the purpose and object of the Convention.

The above-mentioned objection is not an obstacle to the entry into force of the Convention between Greece and Chile.

Finland (20 October 1989):

". . . The Government of Finland considers the said reservations as being incompatible with the object and purpose of the Convention and therefore invalid.

"This objection is not an obstacle to the entry into force of the said Convention between Finland and Chile."

Canada (23 October 1989):

"The reservations by Chile are incompatible with the object and purpose of the Convention Against Torture and thus inadmissible under article 19 (c) of the Vienna Convention on the Law of Treaties."

Turkey (3 November 1989):

"The Government of Turkey considers such reservations to be incompatible with the object and purpose of this Convention and therefore invalid.

"This objection does not constitute an obstacle to the entry into force of the Convention between Turkey and Chile."

Australia (7 November 1989):

"[The Government of Australia] has come to the conclusion that these reservations are incompatible with the object and purpose of the Convention and therefore are impermissible according to article 19 of the Vienna Convention on the Law of Treaties. The Government of Australia therefore objects to these reservations. This objection does not have the effect of preventing the Convention from entering into force between Australia and Chile, and the afore-mentioned reservations cannot alter or modify, in any respect, the obligations arising from the Convention."

Netherlands (7 November 1989):

"Since the purpose of the Convention is strengthening of the existing prohibition of torture and similar practices the reservation to article 2, paragraph 3, to the effect to an order from a superior officer or a public authority may - in some cases - be invoked as a justification of torture, must be rejected as contrary to the object and purpose of the Convention.

"For similar reasons the reservation to article 3 must be regarded as incompatible with the object and purpose of the Convention.

"These objections are not an obstacle to the entry into force of this Convention between the Kingdom of the Netherlands and Chile."

Switzerland (8 November 1989):

These reservations are not compatible with the object and purpose of the Convention, which are to improve respect for human rights of fundamental importance and to make more effective the struggle against torture throughout the world.

This objection does not have the effect of preventing the Convention from entering into force between the Swiss Confederation and the Republic of Chile.

United Kingdom of Great Britain and Northern Ireland (8 Novem- ber 1989):

"The United Kingdom is unable to accept the reservation to article 2, paragraph 3, or the reservation to article 3."

In the same communication, the Government of the United Kingdom notified the Secretary-General of the following:

"(a) The reservations to article 28, paragraph 1, and to article 30, paragraph 1, being reservations expressly permitted by the Convention, do not call for any observations by the United Kingdom.

"(b) The United Kingdom takes note of the reservation referring to the Inter-American Convention to Prevent and Punish Torture, which cannot, however, affect the obligations of Chile in respect of the United Kingdom, as a non-Party to the said Convention."

Austria (9 November 1989):

"The reservations [. . .] are incompatible with the object and purpose of the Convention and are therefore impermissible under article 19 (c) of the Vienna Convention on the Law of Treaties. The Republic of Austria therefore objects against these reservations and states that they cannot alter or modify, in any respect, the obligations arising from the Convention for all States Parties thereto."

New Zealand (10 December 1989):

". . . The New Zealand Government considers the said reservations to be incompatible with the object and purpose of the Convention. This objection does not constitute an obstacle to the entry into force of the Convention between New Zealand and Chile."

Bulgaria (24 January 1990):

"The Government of the People's Republic of Bulgaria considers the reservations made by Chile with regard to art. 2, para. 3 and art. 3 of the Convention against torture and other forms of cruel, inhuman or degrading treatment or punishment of December 10, 1984 incompatible with the object and the purpose of the Convention.

"The Government of the People's Republic of Bulgaria holds the view that each State is obliged to take all measures to prevent any acts of torture and other forms of cruel and inhuman treatment within its jurisdiction, including the unconditional qualification of such acts as crimes in its national criminal code. It is in this sense that art. 2, para. 3 of the Convention is formulated.

"The provisions of art. 3 of the Convention are dictated by the necessity to grant the most effective protection to persons who risk to suffer torture or other inhuman treatment. For this reasn these provisions should not be interpreted on the basis of subjective or any other circumstances, under which they were formulated.

"In view of this the Government of the People's Republic of Bulgaria does not consider itself bound by the reservations."

Further, in a communication received on 3 September 1999, the Government of Chile withdrew the following reservation made upon ratification:

The Government of Chile will not consider itself bound by the provisions of article 30, paragraph 1 of the Convention.

[21] On 21 March 2017, the Secretary-General received the following communication from Portugal relating to the reservation made by Fiji upon ratification:

"The Government of the Portuguese Republic has examined the contents of the reservations made by the Republic of Fiji upon ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

The Government of the Portuguese Republic considers that the reservation made upon ratification regarding Article 1 is incompatible with the object and purpose of the Convention.

The Government of the Portuguese Republic considers that reservations by which a State limits its responsibilities under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment by not recognizing the definition of torture and invoking domestic law raises doubts as to the commitment of the reserving State to the object and purpose of the Convention, as the reservation is likely to deprive the provisions of the Convention of their effect and are contrary to the object and purpose thereof.

The Government of the Portuguese Republic recalls that 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 the Convention shall not be permitted. The Government of the Portuguese Republic thus objects to this reservation.

This objection shall not preclude the entry into force of the Convention between the Portuguese Republic and the Republic of Fiji."

On 23 March 2017, the Secretary-General received the following communication from Italy relating to the reservation made by Fiji upon ratification:

"The Government of the Italian Republic welcomes the ratification by the Republic of Fijiof the Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment on 14 March 2016.

The Government of the Italian Republic has carefully examined the reservation made by the Republic of Fiji to Article 1 of the Convention.

The Italian Government considers that, by declaring not to recognize the definition of Torture as provided for in Article 1 of the Convention, and to only accept the definition of Torture as expressed in the Fijian Constitution, the Republic of Fiji has made a reservation of a general and indeterminate scope. As such the reservation introduces an element of uncertainty for the other States Parties to the Convention as to how the reserving State intends to implement the obligations of the Convention.

The Italian Republic considers that the reservation made by the Republic of Fiji regarding Article 1 of the Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment is incompatible with the object and purpose of the Convention and therefore objects to it.

This objection nonetheless shall not preclude the entry into force of the Convention between the Republic of Fiji and the Italian Republic."

On 12 April 2017, the Secretary-General received the following communication from Peru relating to the reservation made by Fiji upon ratification:

The Government of the Republic of Peru has examined the contents of the reservation made by the Government of the Republic of Fiji to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted in New York on 10 December 1984.

In this regard, the Government of the Republic of Peru considers that the reservation concerning article 1 may be incompatible with the object and purpose of the Convention, as invoking norms of internal law creates ambiguity concerning the commitments of the State with regard to the provisions of the Convention.

Furthermore, the reservation made by the Government of the Republic of Fiji is unacceptable under public international law, as pursuant to article 27 of the Vienna Convention on the Law of Treaties of 1969 a State party may not invoke the provisions of its internal law as justification for its failure to perform a treaty.

In light of the foregoing, the Government of the Republic of Peru objects to the reservation made by the Republic of Fiji concerning article 1 of the Convention.

This objection shall not preclude the entry into force of the Convention between the Republic of Peru and the Republic of Fiji, without the Republic of Fiji benefitting from the abovementioned reservation.

On 17 April 2017, the Secretary-General received the following communication from Latvia relating to the reservation made by Fiji upon ratification:

"The Government of the Republic of Latvia has carefully examined the reservations made by the Republic of Fiji upon ratification of the Convention against Torture and Other [Cruel,] Inhuman or Degrading Treatment or Punishment.

The Republic of Latvia considers that the definition of torture as expressed in Article 1 of the Convention forms the very basis of the Convention and thereof International Human Rights Law, thus no derogations from it can be made.

Therefore, the Government of the Republic of Latvia considers that [the] reservation made by the Republic of Fiji seeks to limit the responsibilities of the reserving State under the Convention by invoking provisions of its domestic law and are likely to deprive the provisions of the Convention of their effect and, hence, must be regarded as incompatible with the object and purpose of the Convention against Torture and Other [Cruel,] Inhuman or Degrading Treatment or Punishment.

Thus, the Republic of Latvia considers that general reservation to Article 1 of the Convention cannot be considered in line with [the] object and purpose of the Convention.

Consequently, the Government of the Republic of Latvia objects to the reservation made by the Republic of Fiji concerning Article 1 of the Convention. This objection shall not preclude the entry into force of the Convention, in its entirety, between the Republic of Latvia and the Republic of Fiji."

[22] On 28 January 2020, the Government of Fiji notified the

Secretary-General of its decision to withdraw the following reservation made upon ratification in respect of article 1 of the Convention:

"The Government of the Republic of Fiji does not recognize the definition of Torture as provided for in article 1 of the Convention therefore shall not be bound by these provisions. The definition of Torture in the Convention is only applicable to the extent as expressed in the Fijian Constitution."

[23] In a communication received on 30 May 1990, the Government of Guatemala notified the Secretary-General that it has decided to withdraw the reservations made by virtue of the provisions of articles 28 (1) and 30 (2), made upon accession to the Convention.

[24] In a communication received on 13 September 1989, the Government of Hungary notified the Secretary-General that it has decided to withdraw the following reservations relating to articles 20 and 30 (1) made upon ratification:

The Hungarian People's Republic does not recognize the competence of the Committee against Torture as defined by article 20 of the Convention.

The Hungarian People's Republic does not consider itself bound by the provisions of paragraph 1 of article 30 of the Convention.

[25] The Government of Norway effected the following Communication on 7 October 2013 related to the reservation made by Lao People's Democratic Republic upon ratification:

The Government of Norway has examined the declarations contained in the instrument of ratification to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (New York, 10 December 1984), made by the Lao People's Democratic Republic on 26 September 2012.

The Government of Norway is of the view that the declaration with regard to Article 1, paragraph 1, of the Convention in substance constitutes a general reservation aimed at limiting the scope of the Convention with reference to national law, without identifying the provisions in question. The Government of Norway accordingly considers that the reservation casts serious doubts on the commitment of the Government of the Lao People's Democratic Republic to the object and purpose of the Convention and therefore objects to the said reservation.

This objection does not preclude the entry into force of the Convention between the Kingdom of Norway and the Lao People's Republic. The Convention thus becomes operative between the Kingdom of Norway and the Lao People's Democratic Republic without the Lao People's Democratic Republic benefiting from the aforesaid reservation.

[26] On 19 October 2006, the Government of Morocco notified the Secretary-General that it had decided to withdraw the reservation made regarding article 20, made upon signature and confirmed upon ratification. The reservation reads as follows:

The Government of the Kingdom of Morocco does not recognize the competence of the Committee provided for in article 20.

[27] The Secretary-General received the following communication(s) related to the reservations made by Pakistan, on the date(s) indicated hereinafter:

The Netherlands (30 June 2011)

The Government of the Kingdom of the Netherlands has examined the reservations made by the Islamic Republic of Pakistan upon ratification of the Convention against torture and other cruel, inhuman or degrading treatment or punishment.

The Government of the Kingdom of the Netherlands considers that with its reservations ot the Articles 3, 4, 6, 12, 13 and 16 of the Convention, the Islamic Republic of Pakistan has made the application of essential obligations under the Convention subject to the Sharia laws and/or the constitutional and/or national laws in force in Pakistan.

This makes it unclear to what extent the Islamic Republic of Pakistan considers itself bound by the obligations of the treaty and raises concerns as to the commitment of the Islamic Republic of Pakistan to the object and purpose of the Convention.

The Government of the Kingdom of the Netherlands considers that reservations of this kind must be regarded as incompatible with the object and purpose of the Convention and would recall that, according to customary international law, as codified in the Vienna Convention on the Law of Treaties, reservations incompatible with the object and purpose of a treaty shall not be permitted.

The Governement of the Kingdom of the Netherlands therefore objects to the reservations of the Islamic Republic of Pakistan to the aforesaid Articles of the Convention.

This objection does not constitute an obstacle to the entry into force of the convention between the Kingdom of the Netherlands and the Islamic Republic of Pakistan.

Subsequently, in a communication received on 20 September 2011, the Government of Pakistan notified the Secretary-General that it had decided to withdraw the reservations to articles 3, 4, 6, 12, 13 and 16. These reservations read as follows:

Article 3

" 'The Government of the Islamic Republic of Pakistan declares the provisions of Article 3 shall be so applied as to be in conformity with the provisions of its laws relating to extradition and foreigners'."

Articles 4, 6, 12, 13 and 16

" 'The Government of the Islamic Republic of Pakistan declares that the provisions of these Articles shall be so applied to the extent that they are not repugnant to the Provisions of the Constitution of Pakistan and the Sharia laws'."

[28] The Secretary-General received communications relating

to the reservation made by Qatar upon accession from the following States on the dates indicated hereinafter:

Italy (5 February 2001) :

"The Government of the Italian Republic has examined the reservation to the Convention against torture and other cruel, inhuman or degrading treatment or punishment made by the Government of Qatar. The Government of the Italian Republic believes that the reservation concerning the compatibility of the rules of the Convention with the precepts of the Islamic law and the Islamic Religion raises doubts as the commitment of Qatar to fulfill its obligations under the Convention. The Government of the Italian Republic considers this reservation to be incompatible with the object and purpose of the Convention according to article 19 of the 1969 Vienna Convention on the Law of Treaties. This reservation does not fall within the rule of article 20, paragraph 5 and can be objected anytime.

Therefore, the Government of the Italian Republic objects to the aforesaid reservation made by the Government of Qatar to the Convention.

This objection does not preclude the entry into force of the Convention between Italy and Qatar."

Demark (21 February 2001) :

"The Government of Denmark has examined the contents of the reservation made by the Government of Qatar to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment regarding any interpretation of the provisions of the Convention that is incompatible with the precepts of Islamic law and the Islamic religion. The Government of Denmark considers that the reservation, which is of a general nature, is incompatible with the object and purpose of the Convention and raises doubts as to the commitment of Qatar to fulfil her obligations under the Convention. It is the opinion of the Government of Denmark that no time limit applies to objections against reservations which are inadmissible under international law.

For the above-mentioned reasons, the Government of Denmark objects to this reservation made by the Government of Qatar. This objection does not preclude the entry into force of the Convention between Qatar and Denmark."

Portugal (20 July 2001) :

"The Government of the Portuguese Republic has examined the reservation made by the Government of Qatar to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (New York, 10 December 1984), whereby it excludes any interpretation of the said Convention which would be incompatible with the precepts of Islamic Law and the Islamic Religion.

The Government of the Portuguese Republic is of the view that this reservation goes against the general principle of treaty interpretation according to which a State party to a treaty may not invoke the provisions of its internal law as justification for failure to perform according to the obligations set out by the said treaty, creating legitimate doubts on its commitment to the Convention and, moreover, contribute to undermine the basis of International Law.

Furthermore, the said reservation is incompatible with the object and purpose of the Convention.

The Government of the Portuguese Republic wishes, therefore, to express its disagreement with the reservation made by the Government of Qatar."

United Kingdom of Great Britain and Northern Ireland (9 November 2001):

"The Government of the United Kingdom have examined the reservation made by the Government of Qatar on 11 January 2000 in respect of the Convention, which reads as follows:

'.....with reservation as to: (a) Any interpretation of the provisions of the Convention that is incompatible with the precepts of Islamic law and the Islamic religion.'

The Government of the United Kingdom note that a reservation which consists of a general reference to national law without specifying its contents does not clearly define for the other States Parties to the Convention theent to which the reserving State has accepted the obligations of the Convention. The Government of the United Kingdom therefore object to the reservation made by the Government of Qatar.

This objection shall not preclude the entry into force of the Convention between the United Kingdom of Great Britain and Northern Ireland and Qatar."

[29] *The Secretary-General communicates that on 14 March 2012, the Government of the State of Qatar effected withdrawal and partial withdrawal of the following reservations made upon accession:*

(a) Any interpretation of the provisions of the Convention that is incompatible with the precepts of Islamic law and the Islamic religion;

and

(b) The competence of the Committee as indicated in articles 21 and 22 of the Convention.

[30] Upon signature:

The Government of Tunisia reserves the right to make at some later stage any reservation or declaration which it deems necessary, in particular with regard to articles 20 and 21 of the said Convention.

[31] On 26 February 1996, the Government of Germany notified the Secretary-General that with respect to the reservations under I (1) and understandings under II (2) and (3) made by the United States of America upon ratification "it is the understanding of the Government of the Federal Republic of Germany that [the said reservations and understandings] do not touch upon the obligations of the United States of America as State Party to the Convention.".

[32] In a notification received on 19 February 1999, the Government of Zambia informed the Secretary-General that it

had decided to withdraw its reservation to article 20 of the Convention, made upon accession. The text of the reservation reads as follows:

"With a reservation on article 20."