

OMAN

CEDAW

RESERVATIONS AND DECLARATIONS

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

Reservations:

1. All provisions of the Convention not in accordance with the provisions of the Islamic sharia and legislation in force in the Sultanate of Oman;
2. Article 9, paragraph 2, which provides that States Parties shall grant women equal rights with men with respect to the nationality of their children;
3. Article 15, paragraph 4, which provides that States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile;
4. Article 16, regarding the equality of men and women, and in particular subparagraphs (a), (c), and (f) (regarding adoption).
5. The Sultanate is not bound by article 29, paragraph 1, regarding arbitration and the referral to the International Court of Justice of any dispute between two or more States which is not settled by negotiation.

OBJECTIONS MADE TO STATE PARTY'S RESERVATIONS AND DECLARATIONS

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

Austria, 5 January 2007

With regard to the reservations made by Oman upon accession:

"The Government of Austria has examined the reservations made by the Government of the Sultanate of Oman upon accession to the Convention on the Elimination of All Forms of Discrimination against Women.

The Government of Austria finds that the reservations to article 9, paragraph 2, article 15, paragraph 4, and article 16 would inevitably result in discrimination against women on the basis of sex. This is contrary to the object and purpose of the Convention.

The Government of Austria further considers that, in the absence of further clarification, the reservation to "all provisions of the Convention not in accordance with the provisions of the Islamic sharia and legislation in force in the Sultanate of Oman" does not clearly specify its extent and therefore raises doubts as to the degree of commitment assumed by the Sultanate of Oman in becoming a party to the Convention.

The Government of Austria would like to recall that, according to article 28, paragraph 2 of the Convention as well as customary international law as codified in the Vienna Convention on the Law of Treaties (Art. 19 sub-paragraph c), 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 requested 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.

For these reasons, the Government of Austria objects to the aforementioned reservations made by the Sultanate of Oman to the Convention on the Elimination of All Forms of Discrimination against Women.

This position however does not preclude the entry into force in its entirety of the Convention between the Sultanate of Oman and Austria."

Belgium, 30 April 2007

With regard to the reservations made by Oman upon accession:

Belgium has carefully examined the reservation formulated by the Sultanate of Oman when it acceded, on 7 February 2006, to the Convention on the Elimination of All Forms of Discrimination against Women, adopted in New York on 18 December 1979. Belgium notes that the reservation formulated with respect to article 9, paragraph 2; article 15, paragraph 4; and article 16 concerns fundamental provisions of the Convention and is therefore incompatible with the object and purpose of that instrument.

In addition, the first paragraph of the reservation makes the implementation of the Convention's provisions contingent upon their compatibility with the Islamic sharia and legislation in force in the Sultanate of Oman. This creates uncertainty as to which of its obligations under the Convention the Sultanate of Oman intends to observe and raises doubts as to Oman's respect for the object and purpose of the Convention.

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

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

Czech Republic, 12 January 2007

With regard to the reservations made by Oman upon accession:

"The Government of the Czech Republic has examined the reservations made by the Sultanate of Oman upon accession to the Convention on the Elimination of All Forms of Discrimination against Women.

The Government of the Czech Republic is of the view that the reservations made to Article 9 paragraph 2, Article 15, paragraph 4 and Article 16, if put into practice, would inevitably result in discrimination against women on the basis of sex, which is contrary to the object and purpose of the Convention. Furthermore, the Government of the Czech Republic notes that the reservation regarding all provisions of the Convention not in accordance with the provisions of the Islamic sharia and legislation in force in the Sultanate of Oman does not clearly define for the other States Parties to the Convention the extent to which the Sultanate of Oman has accepted the obligations of the Convention and therefore raises concerns as to its commitment 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 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 Government of the Czech Republic therefore objects to the aforesaid reservations made by the Government of the Sultanate of Oman to the Convention. This objection shall not preclude the entry into force of the Convention between the Czech Republic and the Sultanate of Oman. The Convention enters into force in its entirety between the Czech Republic and the Sultanate of Oman, without the Sultanate of Oman benefiting from its reservation."

Denmark, 6 October 2006

With regard to the reservations made by Oman upon accession:

"The Government of Oman has examined the reservations made by the Sultanate of Oman upon accession to the Convention on the Elimination of all Forms of Discrimination Against Women regarding article 9 (2), 15 (4), 16 (a, c, f), and all provisions of the Convention not in accordance with the principles of the Islamic Sharia.

The Government of Denmark finds that the general reservation with reference to the provisions of the Islamic Sharia is of unlimited scope and undefined character. The Government of Denmark furthermore notes that the reservations made by the Sultanate of Oman to article 9 (2), 15 (4), and 16 (a, c, f) would inevitably result in the discrimination against women on the basis of sex, which is contrary to the object and purpose of the Convention. Consequently, the Government of Denmark considers the said reservations to be incompatible with the object and purpose of the Convention and accordingly inadmissible and without effect under international law.

The Government of Denmark wishes to recall that, according to article 28 (2) of the Convention, reservations incompatible with the object and purpose of the Convention shall not be permitted.

The Government of Denmark therefore objects to the aforementioned reservations made by the Sultanate of Oman to the Convention on the Elimination of all Forms of Discrimination Against Women. This shall not preclude the entry into force of the Convention in its entirety between Oman and Denmark.

The Government of Denmark recommends the Sultanate of Oman to reconsider its reservations to the Convention on the Elimination of all Forms of Discrimination Against Women."

Estonia, 4 December 2006

With regard to the reservation made by Oman upon accession:

"The Government of the Republic of Estonia has carefully examined the reservations made by the Government of Sultanate of Oman to paragraph 2 of Article 9, paragraph 4 of Article 15, and subparagraphs (a), (c) and (f) of Article 16 of the Convention on the Elimination of all Forms of Discrimination Against Women.

The reservations to paragraph 2 of Article 9, paragraph 4 of Article 15, and subparagraphs (a), (c) and (f) of Article 16, if put into practice, would inevitably result in discrimination against women on the basis of sex, which is contrary to the object and purpose of the Convention. In particular, Article

16 is one of the core provisions of the Convention to which reservations are incompatible with the Convention and therefore impermissible.

Furthermore, section one of the reservation makes a general reference to the provisions of the Islamic sharia and legislation in force in the Sultanate of Oman. The Government of Estonia is of the view that in the absence of further clarification, this reservation makes it unclear to what extent the Sultanate of Oman considers itself bound by the obligations of the Convention and therefore raises concerns as to the commitment of the Sultanate of Oman to the object and purpose of the Convention.

According to Article 28, paragraph 2 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

The Government of Estonia therefore objects to the general reservation made in section one, and reservations to paragraph 2 of Article 9, paragraph 4 of Article 15, and subparagraphs (a), (c) and (f) of Article 16, made by the Government of the Sultanate of Oman to the Convention on the Elimination of all Forms of Discrimination Against Women.

This objection shall not preclude the entry into force of the Convention on the Elimination of all Forms of Discrimination Against Women as between the Republic of Estonia and the Sultanate of Oman".

Finland, 27 February 2007

With regard to the reservations made Oman upon accession:

The Government of Finland has carefully examined the contents of the general reservation made by the Government of Oman to all provisions of the Convention on the Elimination of All Forms of Discrimination against Women and the specific reservations concerning paragraph 2 of Article 9, paragraph 4 of Article 15 and paragraphs 1 (a), 1 (c) and 1 (f) of Article 16 of the Convention.

The Government of Finland recalls that by acceding to the Convention, a State commits itself to adopt the measures required for the elimination of discrimination, in all its forms and manifestations, against women.

The Government of Finland notes that a reservation which consists of a general reference to religious or other national law without specifying its contents does not clearly define to other Parties to the Convention the extent to which the reserving State commits itself to the Convention and creates serious doubts as to the commitment of the receiving 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 Government of Finland also notes that the specific reservations made by Oman, addressing some of the most essential provisions of the Convention, and aiming to exclude the obligations under those provisions, are in contradiction with the object and purpose of the Convention.

The Government of Finland also recalls Part VI, Article 28 of the Convention, according to which reservations incompatible with the object and purpose of the Convention are not permitted.

The Government of Finland therefore objects to the above -mentioned reservations made by the Government of Oman to the Convention. This objection does not preclude the entry into force of the Convention between Oman and Finland. The Convention will thus become operative between the two States without Oman benefiting from its reservations.

France, 13 February 2007

With regard to the reservations made by Oman upon accession:

The Government of the French Republic has considered the reservations made by the Sultanate of Oman upon accession to the Convention on the Elimination of All Forms of Discrimination against Women of 18 December 1979, according to which the Sultanate of Oman does not consider itself bound by 'any provisions of the Convention which are incompatible with Islamic Sharia or with the laws in force in the Sultanate of Oman', or by the provisions of article 9, paragraph 2, article 15, paragraph 4 and article 16, in particular paragraph 1 (a), (c) and (f). The Government of the French Republic considers that, by ruling out the application of the Convention or subordinating it to Sharia principles and the laws in force, the Sultanate of Oman is making a reservation of a general and indeterminate nature, thereby depriving the provisions of the Convention of any effect. The Government of the French Republic considers this reservation to be contrary to the object and purpose of the Convention and therefore wishes to register an objection thereto. The Government of the French Republic also objects to the reservations made to article 9, paragraph 2, article 15, paragraph 4 and article 16, in particular paragraph 1 (a), (c) and (f). These objections shall not prevent the entry into force of the Convention between France and the Sultanate of Oman.

Germany, 28 August 2006

With regard to the reservations made by Oman upon accession:

"The Government of the Federal Republic of Germany has carefully examined the reservations made by the Sultanate of Oman on 7 February 2006 upon accession to the Convention on the Elimination of

All Forms of Discrimination Against Women of 18 December 1979 . The reservations state the Sultanate of Oman does not consider itself bound by provisions of the Convention that are not in accordance with the provisions of the Islamic Sharia and legislation in force in the Sultanate of Oman, and also state that it is not bound by Article 9 (2), Article 15 (4) and Article 16, subparagraphs (a), (c) and (f) of the Convention.

The Government of the Federal Republic of Germany is of the opinion that by giving precedence to the principles of the Sharia and its own national law over the application of the provisions of the Convention, the Sultanate of Oman has made a reservation which leaves it unclear to what extent it feels bound by the obligations of the Convention and which is incompatible with the object and purpose of the Convention. Furthermore, the reservations to Article 9 (2), Article 15 (4) and Article 16 will unavoidably result in a legal situation that discriminates against women, which is incompatible with the object and purpose of the Convention.

Pursuant to Article 28 (2) of the Convention, reservations that are incompatible with the object and purpose of the Convention shall not be permitted.

The Government of the Federal Republic of Germany therefore objects to the above -mentioned reservations. This objection shall not preclude the entry into force of the Convention between the Federal Republic of Germany and the Sultanate of Oman."

Greece, 29 January 2007

With regard to the reservations made by Oman upon accession:

"The Government of the Hellenic Republic have examined the reservations formulated by the Sultanate of Oman upon accession to the Convention on the Elimination of All Forms of Discrimination against Women of 18 December 1979.

The Government of the Hellenic Republic consider that the reservation to "all provisions of the Convention not in accordance with the provisions of the Islamic sharia and legislation in force in the Sultanate of Oman" is of unlimited scope and undefined character, while, furthermore, subjects the application of the Convention to the domestic law of the Sultanate of Oman. It is, therefore, incompatible with the object and purpose of the Convention.

Moreover, the Government of the Hellenic Republic consider that the reservations to articles 9 par. 2, 15 par. 4 and 16 do not specify the extent of the derogation therefrom and, therefore, are incompatible with the object and purpose of the Convention.

The Government of the Hellenic Republic recall that, according to Article 28 paragraph 2 of the

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

For these reasons, the Government of the Hellenic Republic object to the abovementioned reservations formulated by the Sultanate of Oman.

This objection shall not preclude the entry into force of the Convention between Greece and the Sultanate of Oman."

Hungary, 7 February 2007

With regard to the reservations made by Oman upon accession:

"The Government of the Republic of Hungary has examined the reservations made by the Sultanate of Oman on 7 February 2006 upon accession to the Convention on the Elimination of All Forms of Discrimination against Women of 18 December 1979. The reservations state the Sultanate of Oman does not consider itself bound by the provisions of the Convention that are not in accordance with the provisions of the Islamic Sharia and legislation in force in the Sultanate of Oman, and also state that it is not bound by Article 9 (2), Article 15 (4) and Article 16, subparagraphs (a), (c) and (f) of the Convention.

The Government of the Republic of Hungary is of the opinion that by giving precedence to the principles of the Sharia and its own national law over the application of the provisions of the Convention, the Sultanate of Oman has made a reservation which leaves it unclear to what extent it feels bound by the obligations of the Convention and which is incompatible with the object and purpose of the Convention. Furthermore, the reservations to Article 9 (2), Article 15 (4) and Article 16 will unavoidably result in a legal situation that discriminates against women, which is incompatible with the object and purpose of the Convention.

Pursuant to Article 28 (2) of the Convention, reservations that are incompatible with the object and purpose of the Convention shall not be permitted.

The Government of the Republic of Hungary therefore objects to the above-mentioned reservations. This objection shall not preclude the entry into force of the Convention between the Republic of Hungary and the Sultanate of Oman."

Ireland, 19 December 2006

With regard to the reservations made by Oman upon accession:

"The Government of Ireland has examined the reservation made on 7 February 2006 by the Sultanate of Oman to the Convention on the Elimination of All Forms of Discrimination against Women at the time of its accession thereto.

The Government of Ireland notes that the Sultanate of Oman subjects application of the Convention on the Elimination of All Forms of Discrimination against Women to the provisions of Islamic sharia and legislation in force in the Sultanate. The Government of Ireland is of the view that a reservation which consists of a general reference to religious law and to the Constitution of the reserving State and which does not clearly specify the provisions of the Convention to which it applies and the extent of the derogation therefrom, 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 general 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 according to Article 28, paragraph 2 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

The Government of Ireland further considers that the reservations made with respect to Article 9, paragraph 2, Article 15, paragraph 4 and Article 16 of the Convention are incompatible with the object and purpose of the Convention.

The Government of Ireland therefore objects to the aforesaid reservations made by the Sultanate of Oman to the Convention on the Elimination of All Forms of Discrimination against Women.

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

Italy, 9 July 2007

With regard to the reservations made by Oman upon accession:

"...the Government of Italy has carefully examined the reservations made by the Sultanate of Oman on 7 February 2006 upon accession to the above mentioned Convention. The reservations state that the Sultanate of Oman does not consider itself bound by provisions of the Convention that are not in accordance with the provisions of the Islamic Sharia and legislation in force in the Sultanate of Oman, and also state that it is not bound by Article 9 (2), Article 15 (4) and Article 16, subparagraphs (a), (c) and (f) of the Convention.

The Government of Italy is of the opinion that by giving precedence to the principles of the Sharia

and its own national law over the application of the provisions of the Convention, the Sultanate of Oman has made a reservation which leaves it unclear to what extent it feels bound by the obligations of the Convention and which is incompatible with the object and purpose of the Convention. Pursuant to Article 28 (2) of the Convention, reservations that are incompatible with the object and purpose of the Convention shall not be permitted.

The Government of Italy therefore objects to the above-mentioned reservations. This objection shall not preclude the entry into force of the Convention between Italy and the Sultanate of Oman."

Latvia, 6 December 2006

With regard to the reservations made by Oman upon accession:

"The Government of the Republic of Latvia has carefully examined the reservations made by the Sultanate of Oman to the Convention on the Elimination of All Forms of Discrimination against Women upon accession to the Convention regarding Article 9 paragraph 2, article 15 paragraph 4 and article 16.

The Government of the Republic of Latvia considers that the aim of the said Convention is to grant the equality between men and women and therefore the distinction between genders regarding the rights to determine the nationality of children is not in accordance with the aim of the said convention.

Moreover, the rights to determine its own domicile, is a part of the free movement of person, is very important part of human rights and, thus no limitations may be permitted to the said right.

The Government of the Republic of Latvia is of the opinion that the equality between spouses is a very important issue and, therefore, no exemption regarding the said rights is acceptable.

Moreover, the Government of the Republic of Latvia is of the opinion that these reservations made by the Sultanate of Oman contradict to the object and purpose of the Convention and in particular to the obligation of all States Parties to pursue by all appropriate means and without delay a policy of eliminating the discrimination against women.

The Government of the Republic of Latvia recalls Part VI, Article 28 of the Convention setting out that reservations incompatible with the object and purpose of the Convention are not permitted.

The Government of the Republic of Latvia, therefore, objects to the aforesaid reservations made by the Sultanate of Oman to the Convention on the Elimination of All Forms of Discrimination against Women.

However, this objection shall not preclude the entry into force of the Convention between the

Republic of Latvia and the Sultanate of Oman. Thus, the Convention will become operative without the Sultanate of Oman benefiting from its reservation."

Netherlands, 19 July 2006

With regard to the reservations made by Oman upon accession:

"The Government of the Netherlands has examined the reservation made by Oman to the Convention on the Elimination of All Forms of Discrimination against Women. The Government of the Kingdom of the Netherlands considers that the reservations with respect to article 9, paragraph 2; article 15, paragraph 4; and article 16, of the Convention are reservations incompatible with the object and purpose of the Convention.

Furthermore, the Government of the Kingdom of the Netherlands considers that with the first part of the reservation the application of the Convention on the Elimination of All Forms of Discrimination against Women is made subject to the provisions of the Islamic sharia and legislation in force in the Sultanate of Oman. This makes it unclear to what extent Oman considers itself bound by the obligations of the treaty and therefore raises concerns as to the commitment of Oman to the object and purpose of the Convention.

The Government of the Kingdom of the Netherlands recalls that, according to paragraph 2 of article 28 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be 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.

The Government of the Kingdom of the Netherlands therefore objects to the aforesaid reservations made by the Government of Oman to the Convention on the Elimination of All Forms of Discrimination against Women.

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

Poland, 1 March 2007

With regard to the reservations made Oman upon accession:

The Government of the Republic of Poland has examined the reservations made by the Sultanate of

Oman upon accession to the Convention on the Elimination of All Forms of Discrimination against Women, adopted by General Assembly of the United Nations on December 18, 1979, regarding articles 9 paragraph 2, 15 paragraph 4, 16 (a), (c) and (f) and all provisions of the Convention not in accordance with the principles of the Islamic *Sharia*.

The Government of the Republic of Poland considers that the reservations made by the Sultanate of Oman are incompatible with the object and purpose of the Convention which guarantees equal rights of women and men to exercise their economic, social, cultural, civil, and political rights. The Government of the Republic of Poland therefore considers that, according to article 19 (c) of the Vienna Convention on the Law of Treaties, done at Vienna on 23 May 1969, as well as article 28 (2) of the Convention on the Elimination of All Form of Discrimination against Women, reservations incompatible with the object and purpose of a treaty shall not be permitted.

Moreover, the Government of the Republic of Poland considers that by making a general reference to the Islamic *Sharia* without indicating the provisions of the Convention to which the Islamic *Sharia* applies, the Sultanate of Oman does not specify the exact extent of the introduced limitations and thus does not define precisely enough the extent to which the Sultanate of Oman has accepted the obligations under the Convention.

The Government of the Republic of Poland therefore objects to the aforementioned reservations made by the Sultanate of Oman upon accession to the Convention on the Elimination of All Forms of Discrimination against Women, adopted by General Assembly of the United Nations on 18 December 1979, regarding articles 9 paragraph 2, 15 paragraph 4, 16 (a), (c) and (f) and all provisions of the Convention not in accordance with the principles of the Islamic *Sharia*.

This objection does not preclude the entry into force of the Convention between the Republic of Poland and Sultanate of Oman.

Portugal, 30 January 2007

With regard to the reservations made by Oman upon accession:

"The first reservation concerns "all provisions of the Convention not in accordance with the provisions of the Islamic sharia and legislation in force in the Sultanate of Oman". Portugal considers that this reservation is too general and vague and seeks to limit the scope of the Convention on an unilateral basis that is not authorised by it. Moreover, this reservation creates doubts as to the commitment of the reserving State to the object and purpose of the Convention and, moreover, contributes to undermining the basis of international law. 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 second, third and fourth reservations concern fundamental provisions of the Convention, such as articles 9 (2), 15 (4) and 16, that cover the fundamental rights of women and deal with the key elements for the elimination of discrimination against women on the basis of sex. These reservations are thus incompatible with the object and purpose of the Convention and are not permitted under article 28 (2) of the CEDAW.

The Government of the Portuguese Republic, therefore, objects to the above mentioned reservations made by the Sultanate of Oman to the CEDAW.

This objection shall not preclude the entry into force of the Convention between Portugal and Oman."

Romania, 8 February 2007

With regard to the reservations made by Oman upon accession:

"The Government of Romania has carefully considered the reservations made by the Sultanate of Oman on 7 February 2006 upon accession to the Convention on the Elimination of all Forms of Discrimination against Women (New York, 18 December 1979) and regards the reservations made to Article 9 para. 2, Article 15 para.4 and Article 16, sub -paragraphs a), c) and f) (concerning adoptions), as incompatible with the object and purpose of the Convention, as, by their formulation, various forms of discrimination against women are maintained and, implicitly, the inequality of rights between men and women is perpetuated.

Furthermore, the Government of Romania is of the opinion that the general reservation made by the Sultanate of Oman subjects the application of the provisions of the Convention to their compatibility with the Islamic law and the national legislation in force in the Sultanate of Oman. This reservation is, thus, problematic as it raises questions with regard to the actual obligations the Sultanate of Oman understood to undertake by acceding to the Convention, and with regard to its commitment to the object and purpose of the Convention.

The Government of Romania recalls that, pursuant to Article 28 para. 2 of the Convention, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

Consequently, the Government of Romania objects to the aforementioned reservations made by the Sultanate of Oman to the Convention on the Elimination of all Forms of Discrimination against Women. This objection shall not preclude the entry into force of the Convention, in its entirety, between Romania and the Sultanate of Oman.

The Government of Romania recommends to the Sultanate of Oman to reconsider the reservations made to the Convention on the Elimination of all Forms of Discrimination against Women."

Slovakia, 27 February 2007

With regard to the reservation made by Oman upon accession:

"The Government of Slovakia has carefully examined the reservation made by the Sultanate of Oman upon its accession to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

The Government of Slovakia is of the view that the general reservation made by the Sultanate of Oman that "all provisions of the Convention not in accordance with the provisions of the Islamic sharia and legislation in force in the Sultanate of Oman" is too general and does not clearly specify the extent of the obligation (mentioned in the Convention) for the Sultanate of Oman.

The Government of Slovakia finds the reservation to article 9 (2), article 15 (4) and article 16 incompatible with the object and purpose of the Convention and is therefore inadmissible under article 19 (c) of the Vienna Convention on the Law of Treaties. Therefore it shall not be permitted, in accordance with article 2[8], paragraph 2 of the Convention on the Elimination of All Forms of Discrimination Against Women.

For these reasons, the Government of Slovakia objects to the above mentioned reservation made by the Sultanate of Oman upon its accession to the Convention on the Elimination of All Forms of Discrimination Against Women.

This objection shall not preclude the entry into force of the Convention on the Elimination of All Forms of Discrimination Against Women between Slovakia and the Sultanate of Oman. The Convention enters into force in its entirety between Slovakia and the Sultanate of Oman, without the Sultanate of Oman benefiting from its reservation. "

Spain, 23 February 2007

With regard to the reservations made by Oman upon accession:

The Government of the Kingdom of Spain has examined the reservations made by the Sultanate of Oman upon accession to the Convention on the Elimination of All Forms of Discrimination against Women regarding all the provisions of the Convention which are incompatible with Islamic law and with the legislation in force in Oman and to articles 9 (2), 15 (4) and 16 of the Convention. The Government of the Kingdom of Spain considers that the first part of the reservation which subordinates all the provisions of the Convention to conform to Islamic law and the legislation in

force in Oman, to which it makes general reference, without specifying its content, does not permit clear determination as to the extent to which Oman has accepted the obligations derived under the Convention and, consequently, such reservation sheds doubt as to the extent to which the Sultanate of Oman is committed to the object and purpose of the Convention.

Furthermore, the reservations to articles 9 (2), 15 (4) and 16 are incompatible with the object and purpose of the Convention, which aim at exempting Oman from its commitment essential obligations of the Convention.

The Government of the Kingdom of Spain recalls that according to article 28 (2) of the Convention, reservations that are incompatible with the object and purpose of the Convention shall not be permitted.

Therefore, the Government of the Kingdom of Spain objects to the reservations made by the Sultanate of Oman to all the provisions of the Convention on the Elimination of All Forms of Discrimination against Women which are incompatible with Islamic law and with the legislation in force in Oman and to articles 9 (2), 15 (4) and 16 of the Convention.

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

Sweden, 6 February 2007

With regard to the reservations made Oman upon accession:

"The Government of Sweden has examined the reservations made by the Sultanate of Oman on 7 February 2006 to the Convention on the Elimination of All Forms of Discrimination against Women.

The Government of Sweden notes that the Sultanate of Oman gives precedence to the provisions of Islamic Sharia and national legislation over the application of the provisions of the Convention. The Government of Sweden is of the view that this reservation which does not clearly specify the extent of the Sultanate of Oman's derogation from the provisions in question raises serious doubt as to the commitment of the Sultanate of Oman to the object and purpose of the Convention.

Furthermore, the Government of Sweden considers that, regarding the reservations made with respect to articles 9 (2), 15 (4), 16 (a, c, f), if put into practice, would inevitably result in discrimination against women on the basis of sex, which is contrary to the object and purpose of the Convention. It should be borne in mind that the principles of the equal rights of women and men and of non - discrimination on the basis of sex are set forth in the Charter of the United Nations as one of the purposes of the organization, as well as the declaration of Human Rights of 1948.

According to article 28 (2) of the Convention and to international customary 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. 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 Sultanate of Oman to the Convention on the Elimination of All Forms of Discrimination against Women and considers them null and void.

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

United Kingdom of Great Britain and Northern Ireland, 28 February 2007

With regard to the reservations made Oman upon accession:

"The Government of the United Kingdom have examined the reservations made by the Government of the Sultanate of Oman to the Convention on the Elimination of all Forms of Discrimination Against Women (New York, 18 December 1979).

In the view of the Government 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. A reservation which consists of a general reference to a system of law without specifying its contents does not do so. The Government of the United Kingdom therefore object to the Sultanate of Oman's reservation from "all provisions of the Convention not in accordance with the provisions of the Islamic Sharia and legislation in force in the Sultanate of Oman".

The Government of the United Kingdom further object to the Sultanate of Oman's reservations from Article 15, paragraph 4 and Article 16 of the Convention.

These objections shall not preclude the entry into force of the Convention between the United Kingdom of Great Britain and Northern Ireland and Oman."